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HOUSING ELEMENT AND FAIR SHARE PLAN

BOROUGH OF PARAMUS BERGEN COUNTY, NEW JERSEY

PREPARED FOR:

**BOROUGH OF PARAMUS PLANNING BOARD
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INTRODUCTION

In 1975 the New Jersey Supreme Court decided, in So. Burlington Cty. NAACP v. Township of Mount Laurel, that every developing municipality in New Jersey had an affirmative obligation to provide for its fair share of affordable housing. In a subsequent decision in 1983, the Court acknowledged that the vast majority of municipalities in the State had ignored their constitutional obligation and called for the State Legislature to enact legislation that would save municipalities from the burden of having the courts determine their affordable housing needs. The result was the establishment of the New Jersey Council on Affordable Housing (COAH), the State agency responsible for overseeing the manner in which municipalities address their low- and moderate-income housing needs.

COAH initially adopted a “fair share” methodology to determine the State’s low and moderate income housing needs in 1986. Their adopted combined first and second round housing-need numbers for Paramus, published in 1994, called for the Borough to provide a total of 698 affordable housing units, consisting entirely of a new construction obligation, between the years 1987 and 1999. This number was ultimately reduced to 260 units through a vacant land adjustment.

In December 2004, COAH adopted new substantive (N.J.A.C. 5:94) and procedural (N.J.A.C. 5:95) rules for the period beginning December 20, 2004. At the same time, COAH re-adjusted all municipal first and second round housing-need new construction numbers and rehabilitation numbers. Paramus’ previously published 698 unit new-construction obligation was reduced to 568 units, while the Borough’s rehabilitation component was held constant at zero units.

As a result of an Appellate Division ruling, COAH’s substantive and procedural rules were revised again on June 2, 2008 (now NJAC 5:97 and NJAC 5:96, respectively). Thus, COAH re-adjusted all municipal first and second round housing-need new construction numbers and rehabilitation numbers. Paramus’ obligation for the second-round reverted back to a 698 unit new construction obligation, while the rehabilitation obligation was adjusted to 44 units, for a total of 742 units. Because the Borough received a vacant land adjustment as part of its second round certified plan, the adjustments to the overall obligation do not affect the 260 unit realistic development potential (RDP) established in the prior round.

These new third round rules also implement a new “growth share” approach to affordable housing and thus represent a significant departure from the Council’s first and second round rules in that the new rules link the production of affordable housing with actual development and projected growth within the community. There are three components to the third round methodology. They include: 1) the rehabilitation share; 2) any remaining prior round obligation for the period 1987-1999; and 3) the growth share. Growth share is generated by projections of residential and non-residential growth for the period covering January 1, 2004 to January 1, 2018. The new substantive rules state that for every four market-rate residential units projected to be constructed, the municipality shall be obligated to provide one unit that is affordable to households of low or moderate income. In addition, each municipality is obligated to provide one affordable unit for every 16 newly created jobs.

COAH’s June 2008 proposed estimates of need indicate that Paramus has a 1,120 unit fair round affordable housing obligation, inclusive of the 742 unit prior round component noted above and a 378 unit growth share component that is a function of projected residential and non-residential growth. (COAH estimates that by 2018 the Borough will have an additional 773 dwellings in the community, which

translates to 155 units of affordable housing, and 3,574 additional jobs, which translates to 223 units of affordable housing).

This document is designed to address the Borough of Paramus' housing obligation, inclusive of a determination of the community's third round obligation and the plan to achieve this obligation. It has been prepared pursuant to the provisions of the Municipal Land Use Law (MLUL) and the applicable regulations of the Council on Affordable Housing governing the provision of affordable housing within the community for the period between 1987 and 2018.

This plan is organized into three sections.

1. The first part, the Housing Element, contains background data on the Borough's housing characteristics and population as required by COAH.
2. The second section calculates the Borough's fair share obligation for the provision of affordable housing in accordance with the procedures identified in the third round rules.
3. The final section contains the Borough's Fair Share Plan for meeting its affordable housing obligation.

SECTION I: HOUSING ELEMENT

A. COMMUNITY OVERVIEW

The Borough of Paramus is located in central Bergen County. It consists of approximately 10.573 square miles, or 6,767 acres. It is the second largest among 70 municipalities in Bergen County. Its total population is 25,737 people, which translate into 2,457 people per square mile, more than double the average density for the State of New Jersey.

Paramus is bordered by eleven other Bergen County municipalities, including Emerson, Fair Lawn, Glen Rock, Hackensack, Maywood, Oradell, Ridgewood, River Edge, Rochelle Park, Saddle Brook and Washington. Regional access to the Borough is provided by three major highways: the Garden State Parkway, Route 4 and Route 17. Because of its prime highway access, the Borough has a large concentration of office, retail and industrial uses in the vicinity of these roadways. With approximately 2,200 total businesses in located in Paramus it has the largest employment base in Bergen County.

The Borough's residential development is characterized mainly by single-family dwellings. There are over 8,200 homes in Paramus, of which 93 percent of them are single-family dwellings. The remaining 572 dwellings are located in attached structures with two or more dwellings units.

Given these facts, it is easy to see that the municipality is essentially fully developed. Of the 6,767 acres of land in the Borough, only 95 acres remain vacant. Of those 95 acres, 48 acres are zoned for affordable housing to address the Borough's second round obligation. Of the remaining 47 acres, the average lot area is 0.5 acres, and the land is mainly comprised of road right of ways and environmentally constrained land. The vacant land map and the environmental constraints map located at the end of this document illustrate these facts.

B. INVENTORY OF MUNICIPAL HOUSING STOCK

This section of the Housing Element provides an inventory of the Borough's housing stock, as required by the Municipal Land Use Law. The inventory details housing characteristics such as age, condition, purchase/rental value, and occupancy. It also details the number of affordable units available to low- and moderate-income households and the number of substandard housing units capable of being rehabilitated.

1. Number of Dwelling Units. As shown in the table below, the Borough's housing stock has grown each decade since 1960. The most substantial growth occurred between 1960 and 1970, when the number of dwelling units increased by nearly one-quarter. Growth has slowed considerably in subsequent decades. The State estimates that Paramus contains 8,455 dwelling units as of May 2008.

Table 1: Dwelling Units (1960 to 2008 YTD)
Paramus, New Jersey

Year	Dwelling Units	Net Change (#)	Change (%)
1960	5,767	--	--
1970	7,179	1,412	24.5
1980	7,698	519	7.2
1990	7,873	175	2.3
2000	8,209	336	4.3
2008*	8,455	246	3.0

* Through May

Sources: 2003 Bergen County Data Book; NJ Department of Community Affairs (DCA),
The NJ Construction Reporter: <http://www.state.nj.us/dca/codes/cr/conrep.shtml>

The following table provides additional detail regarding the tenure and occupancy of the Borough's housing stock. As shown below, nearly 90 percent of the Borough's housing stock was owner-occupied in 2000. There were only 127 vacant units in 2000, representing less than two percent of the community's housing stock.

Table 2: Housing Units by Tenure and Occupancy Status (1990 and 2000)
Paramus, New Jersey

Category	1990		2000	
	No. Units	Percent	No. Units	Percent
Owner-Occupied Units	7,064	89.4	7,327	89.3
Renter-Occupied Units	725	9.2	755	9.2
Vacant Units	111	1.4	127	1.5
Total Units	7,900	100	8,209	100.0

Source: U.S. Census, 1990 & 2000

2. Housing Characteristics. The following tables provide additional information on the characteristics of the Borough's housing stock, including data on the number of units in the structure and the number of bedrooms. As shown below, the housing stock is predominantly characterized by single-family detached units, which represent 93 percent of all dwelling units. Two-family dwellings represent the next highest category, at 3.6 percent.

Table 3: Units in Structure (1990 and 2000)
Paramus, New Jersey

Units in Structure	1990		2000	
	Number	Percent	Number	Percent
One Unit Detached	7,322	92.7	7,637	93.0
One Unit Attached	90	1.1	104	1.3
2 Units	371	4.7	294	3.6
3 to 4 Units	78	1.0	78	1.0
5 to 9 Units	0	0.0	5	0.1
10 or More Units	0	0.0	84	1.0
Other	39	0.5	7	0.1
Total	7,900	100.0	8,209	100.0

Source: U.S. Census, 1990 & 2000

Table 4: Number of Bedrooms in Housing Units (2000)
Paramus, New Jersey

Bedrooms	Number	Percent
Zero	14	0.2
One	234	2.9
Two	822	10.0
Three	3,646	44.4
Four	2,872	35.0
Five or More	621	7.6
Total	8,209	100.0

Source: U.S. Census, 2000

3. Housing Age. The following table details the age of the Borough's housing stock. As shown, the majority (approximately 60 percent) of the Borough's housing units were constructed between 1940 and 1960. Approximately 10 percent of the housing stock was constructed in the years since 1980. The median age of the Borough's housing stock is 47 years.

Table 5: Year Structure Built
Paramus, New Jersey

Year Units Built	Number of Units	Percent
1999 to March 2000	48	0.6
1990 to 1998	374	4.6
1980 to 1989	419	5.1
1970 to 1979	795	9.7
1960 to 1969	1,585	19.3
1950 to 1959	3,764	45.9
1940 to 1949	683	8.3
1939 or earlier	541	6.6
Total	8,209	100.0

Source: U.S. Census, 2000

4. Housing Conditions. An inventory of the Borough's housing conditions is presented in the following tables. The first table identifies the extent of overcrowding in the Borough, defined as housing units with more than one occupant per room. The data indicates that, in 2000, less than two percent of the Borough's occupied housing units were considered overcrowded.

Table 6: Occupants Per Room (2000)
Paramus, New Jersey

Occupants Per Room	Number of Units	Percent
1.00 or less	7,947	98.3
1.01 to 1.50	79	1.0
1.51 or more	56	0.7
Total	8,082	100

Source: U.S. Census, 2000

The table below presents other key characteristics of housing conditions, including the presence of complete plumbing and kitchen facilities and the type of heating equipment used. As shown, 7

units lacked complete kitchen facilities in 2000 and 12 units lacked complete plumbing facilities..

Table 7: Equipment and Plumbing Facilities (2000)
Paramus, New Jersey

Facilities	Number	Percent
<u>Kitchen:</u>		
Lacking Complete Facilities	7	0.1
With Complete Facilities	8,202	99.9
<u>Plumbing:</u>		
Lacking Complete Facilities	12	0.1
With Complete Facilities	8,197	99.9
<u>Heating Equipment:</u>		
Standard Heating Facilities	8,082	100
Other Means, No Fuel Used	0	0

Source: U.S. Census, 1990 & 2000

5. Purchase and Rental Values. As shown in the following tables, the Borough has seen a rise in both rental rates and purchase prices for housing between 1990 and 2000. This reflects general regional increases in housing costs. As shown in Table 8, the median gross rent for the Borough's rental housing stock increased by over 48 percent between 1990 and 2000, from \$1,001 to \$1,483.

Table 8: Gross Rent of Renter-Occupied Housing Units (1990 and 2000)
Paramus, New Jersey

Value Range	1990		2000	
	Number	Percent	Number	Percent
Less than \$300	5	0.7	0	0.0
\$300 to \$399	16	2.3	0	0.0
\$400 to \$499	21	3.0	7	0.9
\$500 to \$599	30	4.2	24	3.2
\$600 to \$699	51	7.2	62	8.3
\$700 to \$749	13	1.8	30	4.0
\$750 to \$999	186	26.2	120	16.0
\$1,000 or more	340	47.8	421	56.3
No Cash Rent	49	6.9	84	11.2
Total	711	100.0	748	100.0
Median Rent	\$1,001		\$1,483	

Source: U.S. Census, 1990 & 2000

Table 9 shows that the median value of owner-occupied housing units increased by 16 percent between 1990 and 2000, from \$246,200 to \$284,800. The overall region has seen a marked increase in housing values since the publication of the 2000 Census.

Table 9: Value of Owner-Occupied Housing Units (1990 and 2000)
Paramus, New Jersey

Value Range	1990		2000	
	Units	%	Units	%
Less than \$50,000	46	0.7	82	1.2
\$50,000 to \$99,999	37	0.6	24	0.3
\$100,000 to \$149,999	19	3.0	133	1.9
\$150,000 to \$199,999	1,1	17.0	610	8.6
\$200,000 to \$249,999	2,0	31.1	1,506	21.4
\$250,000 to \$299,999	1,4	21.7	1,684	23.9
\$300,000 to \$399,999	1,2	18.6	1,974	28.0
\$400,000 to \$499,999	30	4.6	677	9.6
\$500,000 or more	17	2.8	363	5.1
Total	6,473	100.0	7,053	100.0
Median Value	\$246,200		\$284,800	

Source: U.S. Census, 1990 & 2000

6. Number of Units Affordable to Low- and Moderate-Income Households. Based on the most current COAH regional income limits, the median household income for a three-person household in COAH Region 1, Paramus' housing region comprised of Bergen, Hudson, Passaic and Sussex Counties, is \$69,365. A three-person moderate-income household, established at no more than 80 percent of the median income, would have an income not exceeding \$55,492.

An affordable sales price for a three person moderate-income household earning 80 percent of the median income is estimated at approximately \$150,000. This estimate is based on the UHAC affordability controls outlined in N.J.A.C. 5:80-26.1. Approximately 3.4 percent of the Borough's housing units in 2000 were valued at less than \$150,000, according to the Census data.

For renter-occupied housing, an affordable monthly rent for a three-person household is estimated at \$1,340. According to 2000 U.S. Census data, approximately one-third of the Borough's rental units had a gross rent less than \$1,000.

7. Substandard Housing Capable of Being Rehabilitated. COAH provides the number of units in a community that are in need of rehabilitation and are not likely to experience "spontaneous rehabilitation." Paramus's rehabilitation share is 44 units. This item is further explained in the Fair Share Plan section of this document.

C. PROJECTION OF MUNICIPAL HOUSING STOCK

The Fair Share Plan section of this document will include a detailed projection of the municipal housing stock, pursuant to COAH's rules for establishing the "growth share" component of the fair share obligation. This section will also identify historical and projected growth trends.

D. POPULATION ANALYSIS

The MLUL requires that a Housing Element provide data on the municipality's population, including

population size, age and income characteristics.

1. Population Size. As seen in the table below, the Borough's population experienced substantial growth in the years preceding 1960. Subsequently, growth slowed considerably and actually reversed direction during the 1970s and 1980s, decreasing by 12 percent throughout the two decades. Since then, the Borough has seen a small, but steady, return to population growth. The 2007 population estimate of 26,278, provided by the New Jersey Department of Labor and Workforce Development, represents a two percent increase over the 2000 Census figure.

Table 10: Population Growth (1900 to 2007)
Paramus, New Jersey

Year	Population	Population Change	Percent Change
1900	779	--	--
1910	889	110	14.1
1920	1,321	432	48.6
1930	2,649	1,328	100.5
1940	3,688	1,039	39.2
1950	6,268	2,580	70.0
1960	23,238	16,970	270.7
1970	28,381	5,143	22.1
1980	26,474	-1,907	-6.7
1990	25,067	-1,407	-5.3
2000	25,737	670	2.7
2007*	26,278	541	2.1

* NJ Department of Labor and Workforce Development (LWD) estimate

Sources: Bergen County Data Book; NJ Department of LWD

2. Age Characteristics. The Borough's age characteristics are outlined in the table below. As shown, the largest increase in population growth occurred in the 65 to 84 age group, whereas decreases in population growth occurred in the 20 to 34 and 55 to 64 age groups.

Table 11: Age Characteristics (1990 and 2000)
Paramus, New Jersey

Age	1990		2000	
	Number	Percent	Number	Percent
Under 5 years	1,212	4.8	1,331	5.2
5 to 19 years	4,365	17.4	5,101	19.8
20 to 24 years	1,733	6.9	977	3.8
25 to 34 years	3,165	12.6	2,310	9.0
35 to 44 years	3,561	14.2	4,040	15.7
45 to 54 years	3,158	12.6	3,694	14.4
55 to 64 years	3,518	14.0	2,753	10.7
65 to 84 years	3,730	14.9	4,707	18.3
85 years and over	625	2.5	824	3.2
Total	25,067	100	25,737	100

Source: U.S. Census, 1990 & 2000

3. Average Household Size. The average household size for the Borough has declined steadily in the

years between 1970 and 2000. The average household size in 2000 was 3.00, down from 3.81 in 1970.

Table 12: Average Household Size (1970 to 2000)
Paramus, New Jersey

Year	Total Population	Average Household Size
1970	7,492	3.81
1980	7,644	3.31
1990	7,776	3.07
2000	8,082	3.00

Sources: 2003 Bergen County Data Book

4. Household Income. The median household income for Paramus households increased by approximately 30 percent between 1990 and 2000, from \$58,995 to \$76,918. There was a significant increase in the percent of households with income greater than \$100,000, jumping from approximately 17.8 percent of households in 1989 to 34.4 percent in 1999. Detailed household income figures are shown in the table below.

Table 13: Household Income (1989 and 1999)
Paramus, New Jersey

Income Category	1989		1999	
	Number	Percent	Number	Percent
Less than \$10,000	292	3.6	176	2.2
\$10,000 to \$14,999	417	5.2	207	2.6
\$15,000 to \$24,999	715	9.0	512	6.3
\$25,000 to \$34,999	738	9.3	550	6.8
\$35,000 to \$49,999	972	12.2	903	11.2
\$50,000 to \$74,999	2,083	26.1	1,572	19.5
\$75,000 to \$99,999	1,310	16.4	1,371	17.0
\$100,000 to \$149,999	1,055	13.2	1,723	21.3
\$150,000 or more	355	4.6	1,062	13.1
Total	7,973	100.0	8,076	100.0
Median Household Income	\$58,995		\$76,918	
Bergen County Median	\$49,249		\$65,241	

Source: U.S. Census, 1990 & 2000

E. EMPLOYMENT ANALYSIS

The MLUL requires that the housing plan include data on employment levels in the community. The following tables present information on the Borough's employment characteristics.

1. Employment Status. Table 14 provides information on the employment status of Borough residents age 16 and over. In 2000, approximately 57 percent of the Borough's population over the age of 16 was employed, with 1.3 percent unemployed. This is a full percentage point below the Bergen County unemployment rate of 2.3 percent. It is also important to note that approximately 59 percent of the population age 16 years and over is in the labor force, while approximately 41

percent of the population is not in the labor force.

Table 14: Employment Status, Population 16 and Over (2000)
Paramus, New Jersey

Employment Status	Number	Percent
In labor force	12,069	58.7
Civilian labor force	12,069	58.7
Employed	11,793	57.4
Unemployed	276	1.3
Armed Forces	--	--
Not in labor force	8,484	41.3
Total Population 16 and Over	20,533	100

Source: U.S. Census, 2000

2. Employment Characteristics of Employed Residents. The following two tables detail information on the employment characteristics of employed Paramus residents. Table 15 details occupation characteristics, while Table 16 details industry characteristics.

Table 15: Employed Residents Age 16 and Over, By Occupation (2000)
Paramus, New Jersey

Occupation	Number	Percentage
Management, Professional, and Related Occupations:	<u>5,206</u>	<u>44.1</u>
Management, business, and financial operations occupations	2,099	17.8
Professional and related occupations	3,107	26.3
Service Occupations:	<u>1,073</u>	<u>9.1</u>
Healthcare support occupations	134	1.1
Protective service occupations	188	1.6
Food preparation and serving related occupations	334	2.8
Building and grounds cleaning and maintenance occupations	156	1.3
Personal care and service occupations	261	2.2
Sales and Office Occupations:	<u>3,932</u>	<u>33.3</u>
Sales and related occupations	1,876	15.9
Office and administrative support occupations	2,056	17.4
Farming, Fishing, and Forestry Occupations:	<u>0</u>	<u>0.0</u>
Construction, Extraction, and Maintenance Occupations:	<u>736</u>	<u>6.2</u>
Construction and extraction occupations	413	3.5
Installation, maintenance, and repair occupations	323	2.7
Production, Transportation, and Material Moving Occupations:	<u>846</u>	<u>7.2</u>
Production occupations	443	3.8
Transportation and material moving occupations	403	3.4
Total	11,793	100.0

Source: U.S. Census, 2000

Table 16: Employed Residents Age 16 and Over, By Industry (2000)
Paramus, New Jersey

Industry	Number	Percent
Agriculture, forestry, fishing and hunting, and mining	--	--
Construction	636	5.4
Manufacturing	1,252	10.6
Wholesale trade	570	4.8
Retail trade	1,898	16.1
Transportation and warehousing, and utilities	574	4.9
Information	418	3.5
Finance, insurance, real estate, and rental and leasing	1,021	8.7
Professional, scientific, management, administrative, and waste management services	1,404	11.9
Educational, health and social services	2,441	20.7
Arts, entertainment, recreation, accommodation and food services	602	5.1
Other services (except public administration)	573	4.9
Public administration	404	3.4
Total	11,793	100.0

Source: U.S. Census, 2000

3. Employment Projections. Detailed employment projections are provided in the Fair Share Plan section of this document, as required by COAH in determining the Borough's growth share obligation.

SECTION II: FAIR SHARE OBLIGATION

A. INTRODUCTION

The methodology for determining the Borough's third-round affordable housing obligation changed significantly from the prior round regulations. Under COAH's third-round rules, a municipality's third-round affordable housing obligation is a function of three components:

- Rehabilitation Share
- Remaining Prior Round Obligation
- Growth Share

The growth share component represents the most significant change from the prior round, as it requires that each municipality determine its own affordable housing obligation based on the amount of residential and non-residential growth anticipated over the third-round period from 2004 to 2018. Each of the three components is combined to determine the municipality's total affordable housing obligation. More detail on each component is provided below.

1. Rehabilitation Share. The rehabilitation share component of the affordable housing obligation is based on the municipality's existing housing deficiencies and includes existing housing units as of April 1, 2000 that are both deficient and occupied by households of low or moderate income. A municipality's Total Rehabilitation Share is equal to the sum of its overcrowded and dilapidated units, multiplied by its regional Low-/Moderate-Income Deterioration Share, minus its Rehabilitation Share Credit. The rehabilitation share essentially replaces what was known as indigenous need in the previous rounds. As detailed herein, COAH has assigned a new rehabilitation share of 44 units to Paramus.
2. Remaining Prior Round Obligation. The Prior Round Obligation is the total Fair Share Obligation for the period 1987 to 1999. As noted in Appendix C, COAH is adopting municipalities' unadjusted 1987 to 1999 obligations, first published in 1993. Accordingly, Paramus' Prior Round Obligation is 698 units.

To determine the remaining Prior Round Obligation, a municipality imposes any adjustments approved for its second round plan and subtracts affordable housing units already built or transferred as part of a certified plan (or judgment of repose).

3. Growth Share. The growth share portion of a municipality's fair share obligation is based on the projected residential and employment growth in the municipality over the period between 2004 and 2018. Growth share is defined as:

"The affordable housing obligation generated in each municipality by both residential and non-residential development from 2004 through 2018 and represented by a ratio of one affordable housing unit among five housing units constructed plus one affordable housing unit for every 16 newly created jobs as measured by new or expanded non-residential construction within the municipality."

That is, each individual municipality's actual growth between 2004 and 2018 generates an affordable housing obligation. For residential development, one unit of affordable housing

obligation is generated for every four market rate residential units constructed in the municipality. For non-residential development, one unit of affordable housing obligation is generated for each 16 jobs created in the community. Job creation estimates are based on the amount of new non-residential square footage developed within the community.

The following section contains the information and resultant determination of the growth share assessment.

B. CALCULATION OF AFFORDABLE HOUSING OBLIGATION

The calculation of the Borough's affordable housing obligation is detailed below.

1. Rehabilitation Share. According to Appendix B of COAH's third round substantive rules, the Borough has a rehabilitation share of 44 units.
2. Remaining Prior Round Obligation. Appendix C indicates a prior round new construction obligation of 698 units for the Borough.

The Borough's certified prior round plan addressed its new construction obligation through a combination of prior cycle credits and reductions, inclusionary developments, and regional contribution agreements. Because the Borough also received a vacant land adjustment in the prior round, a portion of those credits were intended to address the unmet need. The prior round plan components are presented below.

Table 17: Second Round Plan Components and Status
Paramus, New Jersey

Plan Component	Number of Units	Status
Vacant Land Adjustment	438 (260 Unit RDP)	Granted
New Construction Credits	39	Completed
Regional Contribution Agreement	130	Completed
Municipally Sponsored New Construction Block 210 Lot 1; Block 207 Lots 1, 2, 3; and Block 208 Lot 4	46 rental units 46 bonus credits	Completed
Total	699	
Unmet Need: Inclusionary Zoning	178	Some undeveloped sites

- a. Credits, Reductions and Adjustments Regarding Prior Round Obligation. The Borough seeks credits, reductions and adjustments as detailed in the following sections.
 - i. Credits. Third-round rules permit credits for units that were constructed (i.e. received certificates of occupancy) or rehabilitated following April 1, 2000 (i.e. received final inspections after 4/1/00), or transferred to another municipality as the subject of a regional contribution agreement (RCA). The Borough has 261 eligible credits, as shown in the following table.

**Table 18: Prior Round Credits
Paramus, New Jersey**

Component	Credits
Credits for Existing Affordable Units	39
Regional Contribution Agreement	130
Municipally Sponsored Rentals	92
Total Credits	261

- ii. Reductions. Reductions from the prior round obligation are permitted for unbuilt sites that were zoned for affordable housing as part of the certified second round plan. Reductions are subject to COAH review and sites must continue to present a realistic opportunity for the construction of affordable housing. The Borough has 178 eligible reductions, as shown in the table below.

**Table 19: Prior Round Reductions
Paramus, New Jersey**

Component	Reductions
Unmet Need: Inclusionary Zoning	178
Total Reductions	178

- iii. Adjustments. COAH honors adjustments granted as part of a second round certified plan, including vacant land adjustments. The Borough received a vacant land adjustment to its second round fair share obligation of 438 units. This number, known as unmet need, reflects the difference between the 698 unit pre-credited need and the 260 unit realistic development potential (RDP) number.
- b. Calculation of Remaining Prior Round Obligation. According to the COAH handbook, a municipality that addressed all or a portion of its second round obligation through a vacant land adjustment is “considered to have met its second round cumulative affordable housing obligation, provided you have implemented all of the terms of the substantive certification.” The Borough has implemented all of its second round plan components, and therefore has addressed its entire prior round obligation. Also, because the Borough has a realistic development potential (RDP) of 260 units and it received credit for 261 units, Paramus has 1 surplus credit that can be applied toward its growth share obligation.
3. Growth Share. The growth share component of the Borough’s affordable housing obligation is calculated based on the projected amount of residential and non-residential growth anticipated between 2004 and 2018. This projected growth is initially provided in Appendix F of the COAH regulations. However, a municipality can also provide a detailed (actual) projection resulting from an analysis of approved, pending and anticipated development applications.

Once the detailed analysis is complete, this growth is translated into an affordable housing obligation, based on a standard of one affordable unit for every four market rate units that are projected and one affordable unit for every 16 jobs that are projected to be created.

- a. Initial Growth Share Projections. Appendix F of the third round regulations provides the data needed to calculate the baseline residential and non-residential growth share projections.

The baseline residential growth projection is determined by subtracting the number of households in 2004 from the projected household growth for the municipality in 2018. This calculation results in the estimated household growth. The following calculation details the baseline projection for Paramus.

Table 20: Household Growth Estimates 2004 - 2018
Paramus, New Jersey

2018 Household Estimate	-	2004 Household Estimate	=	Household Growth
9,266		8,493		773

Source: NJTPA Population and Employment Forecasts and U.S. Census, 2000

Based on the calculation above, COAH projects that Paramus will experience an increase of 773 households by 2018. The regulations allow for affordable units that received credit in a first or second round certified plan, and built after January 1, 2004, to be subtracted from this projection. The Borough's municipally sponsored rental development, containing 46 units, was constructed in 2006 and received credit in the prior round plan, as noted above. Therefore, all of these units may be subtracted from the residential growth projection, resulting in a household growth projection of 727. This projected growth translates to an estimated residential growth share obligation of 145.4 units, based on a standard of one affordable unit among five units created.

The baseline employment growth projection is determined by subtracting the number of jobs in 2004 from the projected number of jobs in the municipality in 2018. This calculation results in the estimated employment growth. The following calculation details the baseline non-residential growth projection for Paramus.

Table 21: Employment Growth Estimates 2004 - 2018
Paramus, New Jersey

2018 Employment Estimate	-	2004 Employment Estimate	=	Employment Growth
47,130		43,556		3,574

Source: NJTPA Population and Employment Projections, http://www.njtpa.org/Plan/LRP/documents/AppB_DemoForc.pdf

Based on the calculation above, COAH projects that Paramus will experience an increase of 3,574 jobs by 2018. This projected growth translates to an estimated affordable non-residential growth share obligation of 223.4 units, based on a standard of one affordable unit for every 16 jobs created.

As shown in the table below, the sum of COAH's projected residential growth share and non-residential growth share equals a total projected growth share obligation of 369 units.

**Table 22: Total COAH Projected Growth Share Obligation
Paramus, New Jersey**

Residential Growth Share Obligation	+	Non-Residential Growth Share Obligation	=	Total Growth Share Obligation
145.4		223.4		369

- b. Adjustment to COAH's Growth Share Projection. COAH's rules at NJAC 5:97-5.6 permit municipalities to request an adjustment to its household projection provided in Appendix F based on an analysis of existing land capacity. If the sum of the projection and actual growth since 2004 is less than the growth projection provided in Appendix F by greater than 10 percent, the new figure can be used to determine the growth share obligation.

The steps and analyses for determining the adjustment to the baseline growth share projection are shown below.

- i. Actual Growth. First, actual residential and non-residential growth in the municipality is presented for the period between January 1, 2004 and year-to-date 2008.

The following table shows actual residential growth, as evidenced solely by certificates of occupancy (COs). For purposes of calculating residential growth, demolitions cannot be factored into the projection. As shown, actual growth from January 1, 2004 through 2008 YTD totals 152 units.

**Table 23: Actual Growth in Residential Development
Analysis of Certificates of Occupancy, 2004-2008 YTD
Paramus, New Jersey**

	2004	2005	2006	2007	2008 YTD*	Total
COs Issued	27	29	40	38	18	152

* Through September

Source: NJ DCA, The NJ Construction Reporter: <http://www.state.nj.us/dca/codes/cr/conrep.shtml>

As with COAH's projected growth share, the Borough's 46-unit municipally sponsored rental development, which was constructed in 2006 and received credit in the prior round plan, can be subtracted from the actual growth figure above. This results in an adjusted actual growth of 106 units.

Actual non-residential growth figures for 2004 through 2008 YTD are shown in the table below. Non-residential growth is indicated by certificates of occupancy and demolition permits issued. The table presents this information based on the total square footage by type of non-residential development (i.e. office, retail, etc.), which is then translated into employment growth, based on the multipliers provided in Appendix D of the substantive rules. As shown, actual growth for the period totals 569 jobs.

**Table 24: Actual Growth in Non-Residential Development
Analysis of Certificates of Occupancy and Demolition Permits, 2004-2008 YTD
Paramus, New Jersey**

	2004		2005		2006		2007		2008 YTD*		Total Jobs
	SF	Jobs	SF	Jobs	SF	Jobs	SF	Jobs	SF	Jobs	
Certificates of Occupancy											
Office	312	0.9	0	0	4,071	11.4	4,260	11.9	0	0	24.2
Retail	13,124	22.3	3,315	5.6	327,340	556.5	1,680	2.9	0	0	587.3
A3 Assembly	0	0	0	0	4,093	6.5	21,090	33.7	0	0	40.2
A4 Assembly	17,836	60.6	840	2.9	0	0	0	0	0	0	63.5
A5 Assembly	4,200	10.9	0	0	0	0	0	0	0	0	10.9
Educational	0	0	2,838	0	9,721	0	0	0	29,796	0	0
Institutional	0	0	0	0	0	0	4,204	10.9	0	0	10.9
Subtotal Jobs	94.7		8.5		574.4		59.4		0		737
Demolition Permits											
Office	0	0	0	0	1,584	4.4	25,206	70.6	0	0	75.0
Retail	12,040	20.5	28,125	47.8	0	0	10,738	18.3	2,360	4.0	90.6
A3 Assembly	0	0	1,655	2.6	0	0	0	0	0	0	2.6
Subtotal Demos	20.5		50.4		4.4		88.9		4.0		168
Total Jobs	74.2		-41.9		570		-29.5		-4.0		569

* Through September

Source: NJ DCA, The NJ Construction Reporter: <http://www.state.nj.us/dca/codes/cr/conrep.shtml>; Borough of Paramus Building Department.

Subtraction of actual residential and non-residential growth, as shown in the tables above, from COAH's baseline residential and non-residential growth projections results in a difference of 621 units and 3,005 jobs, respectively. An adjustment may only be sought against these numbers.

- ii. Projected Development Based on Existing Land Capacity. COAH then requires that an inventory of vacant land and other data to determine future growth be provided in accordance with NJAC 5:97-5.2(c) and (d). This information is included in the appendix of this document.

The inventory of vacant land includes all privately- and municipally-owned parcels in Paramus that are classified on the Borough's tax records as vacant. These parcels are categorized as either residential or non-residential based on the Borough's existing zoning regulations. In accordance with NJAC 5:97-5.2(d) and 5.6(c), parcels were determined to exhibit no potential for development if they contain environmentally sensitive features, are designated for active or passive recreation in the 2006 Paramus Master Plan, or are too small or constrained to accommodate one housing unit. In addition, sites that have already been approved for development were eliminated from the inventory; with the actual development approved thereon added to the actual growth from 2004-2008 YTD.

As shown in the Growth Projection Adjustment tables in the appendix of this document, the remaining lots on the vacant land inventory are presumed to have potential for development. In residential zones, the total buildable area equals 0.5 acres. In non-residential zones, the total buildable area equals 2.68 acres. COAH's rules at NJAC 5:97-

5.6(e)2 require that any parcel with potential for development in Planning Area 1 be assigned a minimum density of 8 units per acre for residential sites and 80 jobs per acre for non-residential sites. When applied to the 0.5 acres of buildable area in residential zones, this translates to a projected growth of 4 units over the next decade. When applied to the 2.68 acres of buildable area in non-residential zones, this translates to a projected growth of 214.4 jobs over the next decade.

- iii. Total Growth Share. In this step, NJAC 5:97-5.6(f) requires that the housing and growth share projections set forth in the Growth Projection Adjustment tables be added back to the actual growth for the period 2004 to YTD 2008. The result is the growth share based on municipal capacity, which must be compared against COAH's baseline projected growth share from Appendix F.

The following table shows the sum of actual residential development for the period 2004 to YTD 2008, approved development on parcels eliminated from the vacant land inventory, and projected residential growth based on our analysis above. As shown, this results in a total residential growth share based on municipal capacity of 128 units.

Table 25: Residential Growth Share Based on Municipal Capacity
Paramus, New Jersey

2004-2008 YTD* Actual Growth**	+	Approved Development	+	Projected Residential Growth	=	Residential Growth Share Based on Municipal Capacity
106		18		4		128

* Through September

** Adjusted based on exclusions permitted per NJAC 5:97-2.4(a)1i

Applying the standard of one affordable housing unit among 5 units created to the residential growth share based on municipal capacity results in an obligation of 25.60 affordable housing units.

The sum of actual non-residential development for the period 2004 to YTD 2008, approved development on parcels eliminated from the vacant land inventory, and the projected non-residential growth is shown in the table below. As shown, this results in a total non-residential growth share based on municipal capacity of 783 units.

Table 26: Non-Residential Growth Share Based on Municipal Capacity
Paramus, New Jersey

2004-2008 YTD* Actual Growth	+	Approved Development	+	Projected Non-Residential Growth	=	Non-Residential Growth Share Based on Municipal Capacity
569		0		214.4		783

* Through September

Applying the standard of one affordable housing unit for every 16 jobs created to the non-residential growth share based on municipal capacity results in an obligation of 48.96 affordable housing units.

As shown in the table below, the sum of the residential and non-residential growth share obligations based on municipal capacity results in the need for 75 affordable housing units.

**Table 27: Total Growth Share Obligation Based on Municipal Capacity
Paramus, New Jersey**

Residential Growth Share Obligation	+	Non-Residential Growth Share Obligation	=	Total Growth Share Obligation
25.60		48.96		75

- iv. Comparison of COAH's Baseline Projection to Adjusted Projection. Finally, the adjusted growth share projection based on municipal capacity must be compared to COAH's projected growth share in Appendix F. If the result of the adjustments based on municipal capacity is less than COAH's projections by greater than 10 percent, the projections utilized for the purpose of projecting the municipality's growth share obligation may be adjusted downward.

The municipal land capacity analysis resulted in a growth share projection of 75, which is less than COAH's growth share projection of 369 units by more than 10 percent. Therefore, the COAH-generated growth projection may be reduced accordingly. The total growth share obligation for Paramus is 75 units.

4. Total Fair Share Obligation. As indicated previously, the total fair share obligation is the sum of the rehabilitation share, remaining prior round obligation, and the growth share. As shown below, Paramus has a total fair share obligation of 119 units.

**Table 28: Total Fair Share Obligation
Paramus, New Jersey**

Component	Obligation
Rehabilitation Share	44
Remaining Prior Round Obligation	0
Growth Share	75
Total Fair Share Obligation	119

SECTION III: FAIR SHARE PLAN

A. PLAN SUMMARY

This section of the plan details the projects, mechanisms and funding sources which will be used to meet the Borough's affordable housing obligation. It is broken down into three subsections: (1) rehabilitation share, (2) remaining prior round obligation and (3) growth share obligation.

1. Rehabilitation Share. COAH has assigned the Borough a rehabilitation share of 44 units. The Borough's proposal for addressing its rehabilitation obligation is set forth later in this section.
2. Remaining Prior Round Obligation. As detailed in the previous section of this plan, the Borough has satisfied the entirety of its prior round obligation and has 1 surplus credit that can be applied toward the growth share obligation.
3. Growth Share Obligation. As detailed in the previous section of this plan, Paramus' growth share obligation is 75 units. The rules governing the growth share obligation relate to Paramus as follows:
 - a. Rental Component. COAH regulations stipulate in NJAC 5:97-3.10(b)3 that at least 25 percent of a municipality's growth share obligation must be addressed with rental housing. Therefore, the Borough is obligated to provide 19 affordable rental units. Per NJAC 5:97-3.4(b), a minimum of 50 percent of these affordable rental units (equal to 10) shall be family housing.
 - b. Age Restricted Units. COAH regulations stipulate in NJAC 5:97-3.10(c)2 that up to 25 percent of a municipality's growth share obligation may be addressed with age-restricted housing. Therefore, the Borough may provide up to 19 age-restricted units.
 - c. Bonus Caps. COAH regulations stipulate in NJAC 5:97-3.20(b) that the total number of bonuses for the growth share obligation granted in a fair share plan shall not exceed 25 percent of the projected growth share obligation. Therefore, the Borough may be granted up to 19 bonus credits. It is noted that, per NJAC 5:97-3.6(a), a municipality may only receive rental bonus credits for units in excess of its growth share rental obligation.

B. PLAN COMPONENTS

1. Rehabilitation Program. The Borough has been assigned a 44 unit rehabilitation share obligation. The Borough will work with the Bergen County Division of Community Development to implement a rehabilitation program. Through the Bergen County Home Improvement Program, the Borough will address its 44 unit rehabilitation obligation.
2. Growth Share Obligation Plan Components. The Borough has a 24 unit growth share obligation. This obligation will be met as follows:
 - a. Surplus Credit. As detailed in the previous section of this plan, the Borough has 1 surplus credit from the prior round that can be applied toward the growth share obligation. Because this surplus credit is in the form of a rental bonus credit earned from a municipally sponsored development in the prior round, this credit will be counted toward the maximum number of

bonuses that can be earned in the growth share period.

- b. Group Home Credits. Pursuant to NJAC 5:97-6.10, the Borough may address its affordable housing obligation through supportive and special needs housing, including residential health care facilities as regulated by the New Jersey Department of Health and Senior Services or DCA, group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services, permanent supportive housing, and supportive shared living housing. The unit of credit for group homes, residential health care facilities, and shared living housing shall be the bedroom.

Paramus has two (2) group home facilities that are eligible for COAH credits. These facilities are as follows:

- i. Care Plus Group Home: This home is located at E 106 Linwood Avenue (Block 7503 Lot 17) and contains 4 bedrooms. It is licensed through the New Jersey Department of Human Services, Division of Mental Health Services.
- ii. Spectrum Group Home: This home is located at E 360 Ridgewood Avenue (Block 6406 Lot 3) and contains 7 bedrooms. It is licensed through the New Jersey Department of Human Services, Division of Developmental Disabilities.

In sum, Paramus' group home facilities contain a total of 11 bedrooms, equaling 11 units of rental credit that can be applied toward the Borough's growth share obligation. These units also satisfy a portion of the minimum rental unit requirement for the growth share.

- b. Senior Housing Developments. The Borough will also address its growth share obligation via credits from two senior housing developments. These are as follows:
 - i. One of these developments is the Parkside at Paramus age-restricted active adult community, which has recently received development approval from the Borough. The site is located along Paramus Road and is identified as Block 1601 Lots 3-5, according to municipal tax records. The development will contain a total of 56 units, including 45 market rate units and 11 affordable units, which represent a 20 percent set-aside.
 - ii. The second such development is the Walter Behnke Senior Housing Complex, located at 200 Garden State Plaza Boulevard (identified as Block 211 Lots 2-4, according to municipal tax records). This development contains 64 dwelling units, of which the Borough has received prior round credits for 33 units. The Borough seeks credit for 8 additional units in this complex.

In sum, Paramus' senior housing developments will contribute 19 units of credit toward the Borough's growth share obligation. These units meet, but do not exceed, the maximum amount of age-restricted housing eligible to receive credit in the growth share.

- c. Inclusionary Zoning. Finally, the Borough will address the remainder of its growth share obligation by rezoning the former Frisch School site for inclusionary residential development.

Based on the growth projections contained herein, the Borough has a remaining obligation of 44 units. Twenty-seven (27) affordable rental units would satisfy the minimum family rental obligation and be eligible for 17 rental bonus credits, for a total of 44 credits. Therefore, the Borough will need to rezone the site to accommodate a minimum 108-unit inclusionary development with a 25 percent set-aside.

The former Frisch School campus is located at 243 Frisch Court and is identified as Block 1411 Lot 8, according to municipal tax records. This 7.12 acre site is currently located in a business zone district, however it is surrounded by residential neighborhoods to the north and east. Therefore, it is the Borough's position that a residential use of this site would be compatible with the surrounding development pattern. Also, it is noted that, despite COAH's data showing environmental constraints on the site, including wetlands, streams, and a flood hazard area, the site is already developed with the 67,046 square foot Frisch School building and can therefore accommodate a residential density of approximately 16 units to the acre.

Zoning regulations to implement a 108-unit inclusionary development with a 25 percent set-aside on the site will be drafted within 90 days of plan adoption.

- d. Development Fees. The Borough has recently adopted an amendment to its development fee ordinance, which, as provided by COAH's rules at NJAC 5:97-8.3, permits the Borough to impose such fees on new development. The funds generated by the collection of development fees will be applied directly toward implementation of the Borough's Fair Share Plan.

Residential development fees of 1 percent of the equalized assessed value will be collected on residential development within all residential zoning districts. Non-residential development fees of 2.5 percent of the equalized assessed value will be collected on non-residential development within all non-residential zoning districts.

The following developers are exempt from paying development fees:

- Developers of low and moderate income units, or those who have made a payment in lieu of constructing affordable units;
- Developers of any not-for-profit uses; federal, state and municipal government uses; churches and other places of worship; and public schools;
- Developers who expand, enlarge, or improve existing single family or two family residences, unless the expansion, enlargement, or improvement leads to the creation of additional dwelling units(s).

With respect to the proposed development fee ordinance, the following is attached in the appendix of this plan:

- A draft ordinance for the collection of development fees;
- A draft resolution from the governing body requesting COAH review and approval of development fee ordinance;
- A draft spending plan;

- A draft resolution from the governing body requesting COAH review and approval of spending plan.
- e. Affordable Housing Ordinance and Affirmative Marketing Ordinance. A draft affordable housing ordinance and affirmative marketing ordinance are attached as an appendix to this plan.

3. CONCLUSION

The Borough has a 44 unit rehabilitation obligation and a 75 unit growth share obligation, for a total obligation of 119 units.

The table below provides a summary of how this obligation will be met within the Borough. As shown, the growth share obligation will be met via a surplus credit from the prior round, group home credits, senior housing developments, and inclusionary zoning. A map depicting the locations of these plan components can be found in the appendix of this document.

**Table 29: Summary of Plan Components – Growth Share
Paramus, New Jersey**

Plan Component	Number of Credits	Compliance with COAH Parameters
Surplus Credit from Prior Round	1 1 rental bonus credit	1 Rental Bonus Credit
Group Home Credits Care Plus Spectrum	11 4 rental units 7 rental units	9 Non-Family Rentals
Senior Housing Developments Parkside at Paramus Walter Behnke	19 11 units 8 units	19 Age-Restricted Units
Inclusionary Zoning: Frisch School	44 27 rental units 17 rental bonus credits	10 Family Rentals 17 Rental Bonus Credits (counted after min. rentals met)
Total	75	

APPENDICES

- A - 1: Maps**
- A - 2: Workbook C: Growth Projection Adjustment Tables**
- A - 3: Amended Development Fee Ordinance**
- A - 4: Draft Resolution Requesting COAH to Review and Approve Amended Development Fee Ordinance**
- A - 5: Draft Spending Plan**
- A - 6: Draft Resolution Requesting COAH to Review and Approve Spending Plan**
- A - 7: Draft Affordable Housing Ordinance** *(to be updated pending publication of COAH model for Third Round)*
- A - 8: Draft Affirmative Marketing Plan** *(to be updated pending publication of COAH model for Third Round)*
- A - 9: Group Home Survey Responses**

A-1 MAPS

- a. *Vacant Parcels per Tax Assessor*
- b. *Location of Plan Components*

Project Title
HOUSING PLAN

BOROUGH OF PARAMUS
BERGEN COUNTY, NEW JERSEY

Key Map
Not To Scale

- Dwg. Legend
- Municipal Boundary
 - Surrounding Municipalities
 - Wetlands with 100' Buffers
 - Streams with 50' Buffers
 - Streams with 300' Buffers
 - Special Flood Hazard Area
 - Slopes > 15%
 - Landscape Data Rank 3-5
 - Public Open Space
- Parcels
- <all other values>
 - Vacant with constraints
 - Vacant with development potential

Rev	Description	Date	Dwn	Ckd

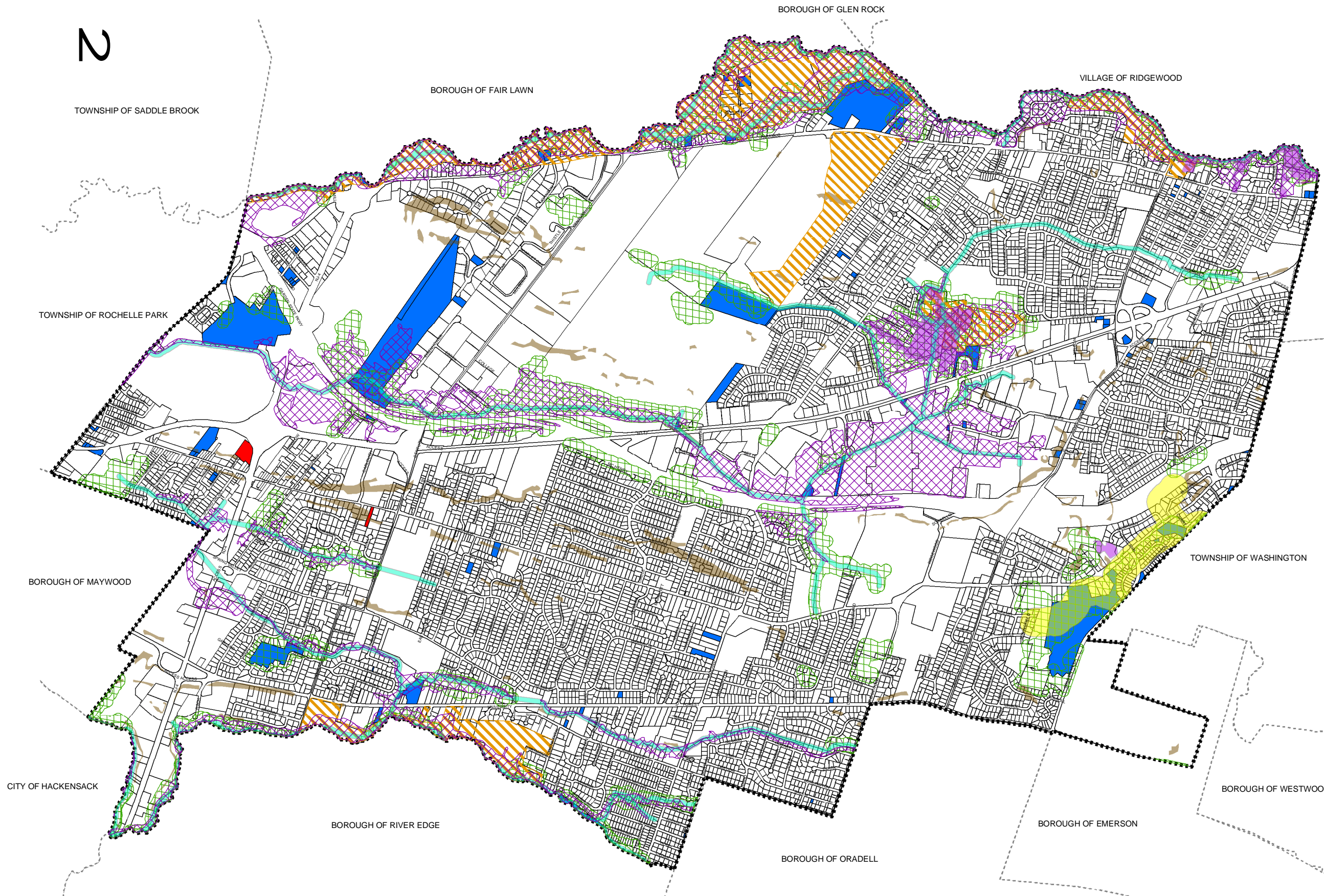
Dwg. Title
**Vacant Parcels
per Tax Assessor**

Graphic Scale

JOSEPH H. BURGIS AICP
PROFESSIONAL PLANNER
NEW JERSEY LIC. NO. 2450

Project No.	2076.31
Sheet No.	1 of 1
Date	11/13/08
Drawn	RW
Scale	N.T.S.
File Name	2076.31VAC_T1
Dwg. No.	TAV_TA
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Source 1: Vacant land data from Borough of Paramus Tax Assessor, October 2008 (less parcels with pending/approved development).
Source 2: Parcel data from County of Bergen, Department of Planning and Economic Development, May 2004.
Source 3: Topographic data from NJ Geological Survey (as presented in 2006 Paramus Master Plan).
Source 4: Other environmental data from COAH, October 2008.



N

Parkside at Paramus
Senior Development

Walter Behnke
Senior Housing Complex

Care Plus Group Home

Spectrum Group Home

Inclusionary Zoning:
Former Frisch School



BURGIS ASSOCIATES, INC.
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Westwood, New Jersey 07675
Phone: (201)-666-1811
Fax: (201)-666-2999


Project Title

HOUSING PLAN

BOROUGH OF PARAMUS
BERGEN COUNTY, NEW JERSEY

Key Map

Not To Scale



Dwg. Legend

 Municipal Boundary

 Surrounding Municipalities

 Parcels

 Plan Components

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Rev	Description	Date	Dwn	Chd
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Dwg. Title

**Location of
Plan Components**

Graphic Scale

**JOSEPH H. BURGIS AICP
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NEW JERSEY LIC. NO. 2450**

Project No.	2076.31
Sheet No.	1 of 1
Date	12/01/08
Drawn	RW
Scale	N.T.S.
File Name	2076.31LOC

Dwg. No.	LOC
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Source 1: Parcel data from County of Bergen, Department of Planning and Economic Development, 2006.

A-2 WORKBOOK C: GROWTH PROJECTION ADJUSTMENT TABLES

Summary of Adjusted Growth Share Projection Based On Land Capacity **(Introduction to Workbook C)**

Municipality Name: **Paramus**

This workbook contains two separate worksheets to be used for determining the projected Municipal Growth Share Obligation. Worksheet A must be completed by all municipalities. The Worksheet is a tool that allows the user to enter COAH-generated Growth Projections included in Appendix F(2) of the revised Third Round Rules to determine the projected Growth Share Obligation after applying exclusions permitted by N.J.A.C. 5:97-2.4. Municipalities that accept the COAH-generated Growth projections need only use Worksheet A.

[Click Here to complete Worksheet A](#)

Municipalities seeking to request a downward adjustment to the COAH-generated growth projections may do so by providing a detailed analysis of municipal land capacity. After completing this analysis, the growth projections may be lowered if the resulting growth share obligation results in a figure that is at least 10 percent lower than the projected Growth Share Obligation that would result from the COAH-generated growth projections. Actual growth must first be determined using the Actual Growth worksheet. A growth projection adjustment may only apply to any remaining growth.

[Click Here to Enter Actual Growth to Date](#)

[Click Here to Complete the Residential Parcel Inventory and Capacity Analysis](#)

[Click Here to Complete the Non-residential Parcel Inventory and Capacity Analysis](#)

Summary Of Worksheet Comparison

	COAH Projected Growth Share (From Worksheet A)	Growth Share Based on Municipal Capacity (From Worksheet C)
Residential Growth	773	174
Residential Exclusions	46	46
Net Residential Growth	727	128
Residential Growth Share	145.40	25.60
Non-Residential Growth	3,574	783
Non-Residential Exclusions	0	0
Net Non- Residential Growth	3,574	783
Non-Residential Growth Share	223.38	48.96
Total Growth Share	369	75

The Municipal land capacity analysis results in a reduction to the COAH-generated growth projection. Please file Workbook C and use a Residential Growth Share of 25.6 plus a Non-residential Growth Share of 48.96 for a total Growth Share Obligation of 75 affordable units

Worksheet A: Growth Share Determination Using Published Data
 (Appendix F(2), *Allocating Growth To Municipalities*)

COAH Growth Projections

Must be used in all submissions

Municipality Name: Paramus

Enter the COAH generated growth projections form Appendix F(2) found at the back of N.J.A.C. 5:97-1 et seq. on Line 1 of this worksheet. Use the Tab at the bottom of this page or the links within the page to toggle to the exclusions portion of this worksheet. After entering all relevant exclusions, toggle back to this page to view the growth share obligation that has been calculated based on COAH's growth projections.

	Residential	Non-Residential
1 Enter Growth Projections From Appendix F(2)*	773	3,574
2 Subtract the following Residential Exclusions pursuant to 5:97-2.4(a) from "Exclusions" tab	Click Here to enter Prior Round Exclusions	
COs for prior round affordable units built or projected to be built post 1/1/04		
Inclusionary Development	0	
Supportive/Special Needs Housing	0	
Accessory Apartments	0	
Municipally Sponsored or 100% Affordable	46	
Assisted Living	0	
Other	0	
Market Units in Prior Round Inclusionary development built post 1/1/04	0	
3 Subtract the following Non-Residential Exclusions (5:97-2.4(b))		
Affordable units	0	
Associated Jobs		0
4 Net Growth Projection	727	3,574
5 Projected Growth Share (Conversion to Affordable Units Divide HH by 5 and Jobs by 16)	145.40 Affordable Units	223.38 Affordable Units
6 Total Projected Growth Share Obligation		369 Affordable Units

[Click Here to return to Workbook C Summary](#)

* For Residential Growth, See Appendix F(2), Figure A.1, Housing Units by Municipality. For Non-residential Growth, See Appendix F(2), Figure A.2, Employment by Municipality

Growth Projection Adjustment - Actual Growth

Municipality Name:

Paramus

Actual Growth 01/01/04 to Present

Residential COs Issued	170				
		Square Feet Added (COs Issued)	Square Feet Lost Demolition Permits Issued)	Jobs/1,000 SF	Total Jobs
Non-residential CO's by Use Group					
B		8643	26790	2.8	-50.81
M		345459	53263	1.7	496.73
F		0		1.2	0.00
S		0		1.0	0.00
H		0		1.6	0.00
A1		0		1.6	0.00
A2		0		3.2	0.00
A3		25183	1655	1.6	37.64
A4		18676		3.4	63.50
A5		4200		2.6	10.92
E		42355		0.0	0.00
I		4204		2.6	10.93
R1		0		1.7	0.00
Total		448720	81708		569

[Return to Growth Projection Adjustment Summary Screen](#)

[Proceed to Inventory of Vacant Residential Land](#)

[Proceed to Inventory of Non-residential Land](#)

Affordable and Market-Rate Units Excluded from Growth

Municipality Name: Paramus

Prior Round Affordable Units NOT included in Inclusionary Developments Built Post 1/1/04

Development Type	Number of COs Issued and/or Projected
Supportive/Special Needs Housing	
Accessory Apartments	
Municipally Sponsored and 100% Affordable	46
Assisted Living	
Other	
Total	46

Market and Affordable Units in Prior Round Inclusionary Development Built post 1/1/04

N.J.A.C. 5:97-2.4(a)

(Enter Y for yes in Rental column if rental units resulted from N.J.A.C. 5:93-5.15(c)5 incentives)

Development Name	Rentals? (Y/N)	Total Units	Market Units	Affordable Units	Market Units Excluded
		0			0
		0			0
		0			0
		0			0
		0			0
Total		0	0	0	0

Jobs and Affordable Units Built as a result of post 1/1/04 Non-Residential Development

N.J.A.C. 5:97-2.4(b)

Development Name	Affordable Units Provided	Permitted Jobs Exclusion
		0
		0
		0
		0
Total	0	0

[When finished, click here to return to Worksheet A](#)

Paramus Growth Projection Adjustment - Residential Parcel Inventory

Block	Lot	Address	Owner	SDRP Planning Area	Urban Center (Y/N)	Sewer Service Area (Y/N)	HUC 11 NO3 Density*	Total Acreage	Constrained Acreage	Constraint Description	Buildable Acreage	Density (Units/Ac)	Capacity (Units)
105	1	12 Bridle Way	Augustensen	1	N	Y	0.20	0.11	0.00		0.00	8.00	0.00
109	2	2 Bridle Way	Van Baaran	1	N	Y	0.20	0.23	0.23	Common ownership with Lot 1 (no development potential)	0.00	8.00	0.00
212	9	Garden Plaza Bldg	Westland GSP	1	N	Y	0.20	0.09	0.00		0.00	8.00	0.00
409	7, 9	130 Farview Ave.	Columbia Savings & Loan	1	N	Y	0.20	0.24	0.24	Developed with parking lot for Lot 8	0.00	8.00	0.00
410	7	Route 17	Gabbay	1	N	Y	0.20	0.14	0.14	Common ownership with Lot 5 (no development potential)	0.00	8.00	0.00
502	7, 8	47 & 51 Farview	Burroughs - LPM	1	N	Y	0.20	0.39	0.39	Common ownership with Block 501 Lot 5 and Block 502 Lot 9 (no development potential)	0.00	8.00	0.00
505	2	Richard Ave	Colombo	1	N	Y	0.10	0.12			0.00	8.00	0.00
515	12	Swan Court	Archer	1	N	Y	0.10	0.15	0.15	Portion of already developed lot in Maywood	0.00	8.00	0.00
607	13	Off Spring Valley	255 W Spring Valley Ave LLC	1	N	Y	0.10	0.06			0.00	8.00	0.00
1001	12	Route 4	Outdoor Systems	6	N	Y	0.20	0.37	0.37	Public Open Space, Special Flood Hazard Area, Stream with 50' Buffer	0.00	4.00	0.00
1208	7	Prospect St	Pfeffer	1	N	Y	0.20	0.06			0.00	8.00	0.00
1602	3, 10	161 Paramus Rd.	Mneirji, Mounayargi	6	N	Y	0.20	1.26	1.26	Public Open Space, Special Flood Hazard Area, Wetlands with 100' Buffers	0.00	4.00	0.00
1702	4	Alpine Drive	Reldan Realty	1	N	Y	0.20	0.81	0.81	Common ownership with Lot 5 (no development potential)	0.00	8.00	0.00
1704	6	173 Alpine Drive	Weedo	1	N	Y	0.20	0.83	0.83	Common ownership with Lots 5 and 7 (no development potential)	0.00	8.00	0.00
2001	28	104 Farview Ave	Martinho	1	N	Y	0.10	0.6	0.1	Slopes > 15%	0.50	8.00	4.00
2109	5	Andrea Court	Howland Forest	1	N	Y	0.10	7.45	7.45	Approved development application for 1 dwelling unit (included in Actual Growth)	0.00	8.00	0.00
2201	3	Dunkerhook Rd	Hackensack Water Co.	6	N	Y	0.20	0.27	0.27	Public Open Space, Special Flood Hazard Area	0.00	4.00	0.00
2202	7	Paramus Rd	Perides	1	N	Y	0.20	0.65	0.65	Wetlands with 100' Buffers, Special Flood Hazard Area, Stream with 50' Buffer	0.00	8.00	0.00
2204	6	Off Paramus Rd	G. Washington Memorial Park Cemetery	6	N	Y	0.20	1.15	1.15	Public Open Space, Special Flood Hazard Area, Stream with 50' Buffer, Wetlands with 100' Buffers	0.00	4.00	0.00
2706	8	Village Circle West	Jahn	1	N	Y	0.10	0.05			0.00	8.00	0.00

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[Click Here to Proceed to Non-residential Parcel Inventory and Capacity Analysis](#)

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Subtotal This Page	4.00
Subtotal Page 2	0.00
Subtotal Page 3	0.00
Subtotal Page 4	0.00
Subtotal Add'l Pages	0.00
Grand Total	4.00

Paramus Growth Projection Adjustment - Residential Parcel Inventory Page 2

Block	Lot	Address	Owner	SDRP Planning Area	Urban Center (Y/N)	Sewer Service Area (Y/N)	HUC 11 NO3 Density*	Total Acreage	Constrained Acreage	Constraint Description	Buildable Acreage	Density (Units/Ac)	Capacity (Units)
2708	15	Forest Ave	Orfali	1	N	Y	0.10	0.08			0.00	8.00	0.00
3303	3	Farview Ave	Keppler	1	N	Y	0.10	0.93	0.93	Common ownership with Lot 4, (no development potential), Slopes > 15%	0.00	8.00	0.00
3305	11	Off Lawrence Drive	Amato	1	N	Y	0.10	0.59	0.59	No access to site	0.00	8.00	0.00
3501	3	Paramus Rd	Wolfson	1	N	Y	0.20	1.28	1.28	Common ownership with Lot 4 (no development potential), Wetlands with 100' Buffers, Special Flood Hazard Area	0.00	8.00	0.00
410	8,9	Route 17	Rt. 17 & Gertrude c/o Mobil	1	N	Y	0.20	0.24	0.24	Common ownership with Lot 1 (no development potential)	0.00	8.00	0.00
3905	7	Off Continental Ave	Cole	6	N	Y	0.10	0.07			0.00	4.00	0.00
3905	11	Off Continental Ave	Dodge	1	N	Y	0.10	0.06			0.00	8.00	0.00
4104	24	170 Midwood Rd	Macchione	1	N	Y	0.20	0.48	0.48	Common ownership with Lot 10 (no development potential)	0.00	8.00	0.00
4108	6	Windsor Rd	Kundriat	1	N	Y	0.20	0.25	0.25	Common ownership with Lot 7 (no development potential)	0.00	8.00	0.00
4201, 3001	24, 2	W 96 Midland Ave.	Ridgewood Country Club	1	N	Y	0.20	17.44	17.44	Shown as active recreation in 2006 Master Plan, Stream with 50' Buffer, Wetlands with 100' Buffers	0.00	8.00	0.00
4701	2	Spring Valley Rd	Schmidt	1	N	Y	0.10	0.23	0.23	Common ownership with Lot 1 (no development potential)	0.00	8.00	0.00
4701	8	Forest Ave	Bros Development Co, LLC	1	N	Y	0.10	0.25	0.25	Common ownership with Lots 7 and 9 (no development potential), Stream with 50' Buffer	0.00	8.00	0.00
4710	1	Along Mill Brook	Barnes	1	N	Y	0.10	0.21	0.21	Wetlands with 100' Buffers, Special Flood Hazard Area, Stream with 50' Buffer	0.00	8.00	0.00
4711	1, 2, 3, 4	Along Mill Brook	Sammon	1	N	Y	0.10	0.56	0.56	Wetlands with 100' Buffers, Special Flood Hazard Area, Stream with 50' Buffer	0.00	8.00	0.00
4712	1,2,3,4,5,6,7,8,9	Along Mill Brook	Incitti, Barnes, et al.	1	N	Y	0.10	0.88	0.88	Wetlands with 100' Buffers, Special Flood Hazard Area, Stream with 50' Buffer	0.00	8.00	0.00
5811	16	Terhune Ave	Maloney	1	N	Y	0.10	0.04			0.00	8.00	0.00
6509	15	537 Forest Ave	Shotmeyer	1	N	Y	0.10	0.22	0.22	Approved development application for 1 dwelling unit (included in Actual Growth)	0.00	8.00	0.00
6614	14	534 Salem St	Mastalerczyk	1	N	Y	0.10	0.11			0.00	8.00	0.00
6705	9	Harold St	Gallagher	1	N	Y	0.20	0.06			0.00	8.00	0.00
6706	9	Harold St	Blau	1	N	Y	0.20	0.12			0.00	8.00	0.00
											Total Page 2		0.00

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Paramus Growth Projection Adjustment - Residential Parcel Inventory Page 3

Block	Lot	Address	Owner	SDRP Planning Area	Urban Center (Y/N)	Sewer Service Area (Y/N)	HUC 11 NO3 Density*	Total Acreage	Constrained Acreage	Constraint Description	Buildable Acreage	Density (Units/Ac)	Capacity (Units)
6707	2	108 Legion Pl	Schmelzer	1	N	Y	0.20	0.14	0.14	Common ownership with Lot 3 (no development potential)	0.00	8.00	0.00
6707	5	Legion Pl	Da Glau	1	N	Y	0.20	0.12			0.00	8.00	0.00
6813	10	Ridgewood Ave	Midan Properties, LLC	1	N	Y	0.20	0.29	0.21	Slopes > 15%	0.00	8.00	0.00
6813	22	Ridgewood Ave	Strasser	1	N	Y	0.20	0.22	0.22	Common ownership with Lot 23 (no development potential), Slopes > 15%	0.00	8.00	0.00
7517	1	Linwood Ave	Hackensack Water Co.	1	N	Y	0.20	0.10			0.00	8.00	0.00
7601	7	Pascack Rd	Schuerman	1	N	Y	0.20	0.17	0.17	Portion of already developed lot in Washington Township	0.00	8.00	0.00
7604	16	783 Manchester Way	O'Neill	1	N	Y	0.20	0.19	0.19	Stream with 300' Buffer, Wetlands with 100' Buffer	0.00	8.00	0.00
7604	43, 46	750 Livingston Ct	Fidelity Cemetery Assoc.	1	N	Y	0.20	0.53	0.53	Portion of Beth-El Cemetery (Washington Township)	0.00	8.00	0.00
7604	45	778 Pascack Rd	Pascack Assoc. LLC	1	N	Y	0.20	2.59	2.59	Stream with 300' Buffer, Wetlands with 100' Buffer	0.00	8.00	0.00
7706	1	Soldier Hill Rd	Shamrock Creek LLC	1	N	Y	0.20	35.08	35.08	Stream with 300' Buffer, Wetlands with 100' Buffer, Deed restricted for conservation purposes	0.00	8.00	0.00
1101	1, 2	Off Century Rd	Arcola Country Club	1	N	Y	0.20	47.87	47.87	Shown as active recreation in 2006 Master Plan, Wetlands with 100' Buffers, Stream with 50' Buffer, Special Flood Hazard Area	0.00	8.00	0.00
3101	1	Off Coe Rd	Ridgewood Country Club	1	N	Y	0.20	3.68	3.68	Shown as active recreation in 2006 Master Plan	0.00	8.00	0.00
505	10	Richard Avenue	Graham	1	N	Y	0.10	0.34	0.34	Common ownership with Lot 3 (no development potential)	0.00	8.00	0.00
105	2	Arcadian Ave	Mege	1	N	Y	0.20	0.12	0.12	Common ownership with Lot 3 (no development potential)	0.00	8.00	0.00
2202	1	Paramus Rd	Perides	1	N	Y	0.20	0.45	0.45	Common ownership with Lot 2 (no development potential), Wetlands with 100' Buffers, Stream with 50' Buffer, Special Flood Hazard Area	0.00	8.00	0.00
2710	2	Forest Ave	EFJ 158 Forest LLC	1	N	Y	0.10	0.66	0.66	Approved development application for 1 dwelling unit (included in Actual Growth)	0.00	8.00	0.00
2804	5.01, 5.02	285 & 286 Dunkerhook Road	Petruzzella	1	N	Y	0.20	1.14	1.14	Approved development application for 2 dwelling units (included in Actual Growth)	0.00	8.00	0.00
3404	9.01-9.04	Spring Lane & Forest Avenue	Interbuild Holdings LLC	1	N	Y	0.10	3.33	3.33	Approved development application for 3 dwelling units (included in Actual Growth)	0.00	8.00	0.00
4609	24	360 Bullard Ave	Tonoyan	1	N	Y	0.10	0.27	0.27	Approved development application for 1 dwelling unit (included in Actual Growth)	0.00	8.00	0.00
5508	6.01-6.05	Brook Court	Midland Builders LLC	1	N	Y	0.10	0.91	0.91	Approved development application for 5 dwelling units (included in Actual Growth)	0.00	8.00	0.00
											Total Page 3		0.00

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Paramus Growth Projection Adjustment - Residential Parcel Inventory Page 4

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Total Page 4 0.00

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Paramus Growth Projection Adjustment - Non-Residential Parcel Inventory

Block	Lot	Address	Owner	SDRP Planning Area	Urban Center (Y/N)	Sewer Service Area (Y/N)	HUC 11 NO3 Density *	Total Acreage	Constrained Acreage	Constraint Description	Remaining Buildable Acreage	Density (Jobs/Ac)	Capacity (Jobs)
108	1,2,6	Cleveland Ave, Mackay Ave	August	1	N	Y	0.2	0.36	0.36	Vehicle storage and driveway for commercial development on Lot 5 (no development potential)	0.00	80.00	0.00
412	1	Route 17	Rt 17 North Realty LLC	1	N	Y	0.2	0.55	0.55	Developed with parking lot for Block 414 Lot 4	0.00	80.00	0.00
502	9	Route 17	Burroughs-LPM	1	N	Y	0.2	3.18	3.18	Developed with parking lot for Block 501 Lot 5, Slopes > 15%	0.00	80.00	0.00
601	5	S 10 Route 17	Oster Apartments	1	N	Y	0.2	2.68			2.68	80.00	214.40
1101	3	Along Garden St Pkwy	ALX of Paramus, LLC	1	N	Y	0.2	5.99	5.99	Wetlands with 100' Buffers, Special Flood Hazard Area, Stream with 50' Buffer	0.00	80.00	0.00
1901	3.01	N 75 Route 17	Hermex Enterprises	1	N	Y	0.2	0.25	0.25	Wetlands with 100' Buffers, Special Flood Hazard Area	0.00	80.00	0.00
3102	2	Route 17	Ridgewood Country Club	1	N	Y	0.2	0.31	0.31	Shown as active recreation in 2006 Master Plan, Wetlands with 100' Buffers, Special Flood Hazard Area, Stream with 50' Buffer	0.00	80.00	0.00
5004	6	Route 17	Paramus Park Shopping Ctr.	1	N	Y	0.2	3.01	3.01	Wetlands with 100' Buffers, Special Flood Hazard Area, Landscape Project Rank 3-5	0.00	80.00	0.00
5201	2	Route 17	Highway Displays Inc.	1	N	Y	0.2	0.18	0.18	Stream with 50' Buffer, Special Flood Hazard Area	0.00	80.00	0.00
5203	3	From Road	Paramus Park Shopping Ctr.	1	N	Y	0.2	1.13	1.13	Wetlands with 100' Buffers, Special Flood Hazard Area	0.00	80.00	0.00
5304	2	From Road	Mack F Properties	1	N	Y	0.2	0.93	0.93	Stream with 50' Buffer, Special Flood Hazard Area	0.00	80.00	0.00
6017	13	Sycamore St	Grey	1	N	Y	0.2	0.34	0.34	Common ownership with Block 6809 Lot 1 (no development potential)	0.00	80.00	0.00
6104	2, 3	E 72 Ridgewood Ave	Valley National Bank	1	N	Y	0.2	0.84	0.84	Common ownership with Lot 1 (no development potential), Slopes > 15%	0.00	80.00	0.00
6204	1	579 Winters Ave	Home Depot	1	N	Y	0.2	0.24	0.24	Common ownership with Lot 4 (no development potential), Special Flood Hazard Area	0.00	80.00	0.00
6206	1	A & S Drive	Holobeam, Inc.	1	N	Y	0.2	0.11	0.11	Common ownership with Lot 2 (no development potential), Special Flood Hazard Area	0.00	80.00	0.00
6301	2	E 120 Ridgewood Ave	Tuttle, Sam & Mack-Cali	1	N	Y	0.2	0.41	0.41	Developed with entrance to Lot 4, Slopes > 15%	0.00	80.00	0.00
6803	1	Off Route 17	Cerami Realty	1	N	Y	0.2	1.23	1.23	Common ownership with Lot 2 (no development potential)	0.00	80.00	0.00
6809	5, 6	Route 17	Grey	1	N	Y	0.2	0.54	0.54	Common ownership with Lot 1 (no development potential)	0.00	80.00	0.00
6812	1	Zabriskie Ave	Fireplace Corporation	1	N	Y	0.2	0.55	0.55	Developed with parking lot for Lot 2	0.00	80.00	0.00
108	3,4	Cleveland Ave, Bridle Way	DCH Investments Inc.	1	N	Y	0.2	1.03	1.03	Vehicle inventory for car dealership on Lot 7 (no development potential)	0.00	80.00	0.00
301	5	Route 4	Westland GSP	1	N	Y	0.2	30.21	30.21	Developed with parking lot for Garden State Plaza, Wetlands with 100' Buffers, Special Flood Hazard Area	0.00	80.00	0.00

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Subtotal This Page 214.40
Subtotal Page 2 0.00
Subtotal Page 3 0.00
Subtotal Page 4 0.00
Grand Total 214.4

A-3 AMENDED DEVELOPMENT FEE ORDINANCE

AMENDED DEVELOPMENT FEE ORDINANCE

**BOROUGH OF PARAMUS
COUNTY OF BERGEN
STATE OF NEW JERSEY**

ORDINANCE NO.

**AN ORDINANCE AMENDING CHAPTER 210 OF THE CODE OF THE BOROUGH OF
PARAMUS IN ORDER TO COMPLY WITH NEW COAH DEVELOPMENT FEE
REGULATIONS**

WHEREAS, the Borough of Paramus previously adopted an Ordinance codified in Chapter 210 of the Code of the Borough of Paramus establishing and regulating the collection of development fees within the Borough; and

WHEREAS, the New Jersey Council on Affordable Housing (hereinafter COAH) has adopted new rules and regulations requiring that Chapter 210 of the Code be amended,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF PARAMUS that Chapter 210 of the Borough Code be amended to read in its entirety as follows:

Section 1. Chapter 210 of the Borough Code shall be amended to read in its entirety as follows:

"Section 210-1. Purpose.

In Holmdel Builder's Association V. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules. Pursuant to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction and have a COAH-approved spending plan may retain fees collected from non-residential development. This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance P.L.2008, c.46, Sections 8 and 32-38. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8.

Section 210-2. Basic Requirements.

This ordinance shall not be effective until approved by COAH pursuant to *N.J.A.C. 5:96-5.1*. The Borough of Paramus, shall not spend development fees until COAH has approved a plan for spending such fees in conformance with *N.J.A.C. 5:97-8.10* and *N.J.A.C. 5:96-5.3* except as specifically authorized by COAH or as permitted pursuant to *N.J.A.C. 5:94-6.12(e)*.

Section 210-3. Definitions.

The following terms, as used in this ordinance, shall have the following meanings:

- a) “Affordable housing development” means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.
- b) “COAH” or the “Council” means the New Jersey Council on Affordable Housing established under the Act which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the State.
- c) “Development fee” means money paid by a developer for the improvement of property as permitted in *N.J.A.C. 5:97-8.3*.
- d) “Developer” means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.
- e) “Equalized assessed value” means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).
- f) “Green building strategies” means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

Section 210-4. Residential Development Fees.

a) Imposition of Residential Development Fee:

1. Residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of one percent (1%) of the equalized assessed value for residential development provided no increased density is permitted.

2. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a “d” variance) has been permitted, developers may be required to pay a development fee of six percent (6%) of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal one percent of the equalized assessed value on the first two units; and the specified higher percentage up to six percent of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application

b) Eligible exactions, ineligible exactions and exemptions for residential development:

1. Affordable housing developments and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.

2. Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, (except for those fees charged pursuant to the predecessor development fee ordinance amended by the terms of this Ordinance) unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.

3. Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.

c) Collection procedures for residential development.

Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.

d) Appeal of residential development fee.

A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by the Borough. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

Section 210-5. Non-Residential Development Fees.

a) Imposition of Non-Residential Development Fees:

1. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.

2. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.

3. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.

b) Eligible exactions, ineligible exactions and exemptions for Non-Residential Development.

1. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and a half (2.5) percent development fee, unless otherwise exempted below.

2. The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.

3. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" Form. Any exemption claimed by a developer shall be substantiated by that developer.

4. A developer of a non-residential development exempted from the non-residential development fee pursuant to P.L.2008, c.46 shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.

5. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the Borough as a lien against the real property of the owner.

c) Collection Procedures for Non-Residential Development.

1. The Developer of a non-residential development shall obtain a Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" and complete as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.

2. The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a non-residential development fee.

3. Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the non-residential development.

4. The construction official responsible for the issuance of a final certificate of occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a non-residential development fee.

5. Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the non-residential development; calculate the non-residential development fee; and thereafter notify the developer of the amount of the fee.

6. Should the Borough fail to determine or notify the developer of the amount of the non-residential development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).

7. Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.

d) Appeal of Non-Residential Development Fee.

A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by the Borough Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

Section 210-6. Affordable Housing Trust Fund.

a) The Borough has previously created a separate, interest-bearing housing trust fund that is maintained by the Chief Financial Officer of the Borough for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls. Said affordable housing trust fund shall continue to be maintained pursuant to this amended ordinance.

b) The following funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:

1. Payments in lieu of on-site construction of affordable units;
2. Developer contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible;
3. Rental income from municipally operated units;
4. Repayments from affordable housing program loans;
5. Recapture funds;
6. proceeds from the sale of affordable units; and
7. Any other funds collected in connection with the Borough's affordable housing program.

c) Within seven days of the adoption of this ordinance the Borough shall provide COAH with written authorization, in the form of a three-party escrow agreement between the Borough, the bank in which the funds are deposited and COAH to permit COAH to direct the disbursement of the funds as provided for in N.J.A.C. 5:97-8.13(b).

d) All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH.

Section 210-7. Use of Funds.

a) The expenditure of all funds shall conform to a spending plan approved by COAH. Funds deposited in the housing trust fund may be used for any activity approved by COAH to address the Borough's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing non-residential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:97-8.7 through 8.9 and specified in the approved spending plan.

b) Funds shall not be expended to reimburse the Borough for past housing activities unless specifically approved by COAH.

c) At least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region.

1. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and a assistance with emergency repairs.

2. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income. The use of development fees in this manner shall entitle the Borough to bonus credits pursuant to N.J.A.C. 5:97-3.7.

3. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.

d) The Borough may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.

e) No more than 20 percent of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the affordable housing trust fund.

Section 210-8. Monitoring.

The Borough shall complete and return to COAH all monitoring forms included in monitoring requirements related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with the Borough's housing program, as well as to the expenditure of revenues and implementation of the plan certified by COAH. All monitoring reports shall be completed on forms designed by COAH.

Section 2. Severability

If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid in whole or in part or as applied to any particular circumstance or individual by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision, or clause of this ordinance.

Section 3. Repealer.

All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies only.

Section 4. Effective Date.

This ordinance shall take effect immediately upon final passage and publication as required by law and upon approval by COAH as provided hereinabove.

APPROVED:

BOROUGH OF PARAMUS

BY:

JAMES J. TEDESCO, III, MAYOR

ATTEST:

BY:

IAN I. SHORE, RMC
BOROUGH CLERK

**A-4 DRAFT RESOLUTION REQUESTING COAH REVIEW AND APPROVAL OF AMENDED
DEVELOPMENT FEE ORDINANCE**

**DRAFT RESOLUTION REQUESTING COAH REVIEW AND APPROVAL OF AMENDED DEVELOPMENT
FEE ORDINANCE**

WHEREAS, the Governing Body of the Borough of Paramus, Bergen County petitioned the Council on Affordable Housing (COAH) for substantive certification on *[insert date]*; and

WHEREAS, P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), permits municipalities that are under the jurisdiction of COAH or of a court of competent jurisdiction and that have a COAH-approved spending plan to impose and retain fees on residential and non-residential development; and

WHEREAS, subject to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), N.J.A.C. 5:97-8.3 permits a municipality to prepare and submit a development fee ordinance for review and approval by the Council on Affordable Housing (COAH) that is accompanied by and includes the following:

1. A description of the types of developments that will be subject to fees per N.J.A.C. 5:97-8.3(c) and (d);
2. A description of the types of developments that are exempted per N.J.A.C. 5:97-8.3(e);
3. A description of the amount and nature of the fees imposed per N.J.A.C. 5:97-8.3(c) and (d) ;
4. A description of collection procedures per N.J.A.C. 5:97-8.3(f);
5. A description of development fee appeals per N.J.A.C. 5:97-8.3(g); and
6. A provision authorizing COAH to direct trust funds in case of non-compliance per N.J.A.C. 5:97-8.3(h).

WHEREAS, the Borough of Paramus has prepared adopted an amended development fee ordinance that establishes standards for the collection, maintenance, and expenditure of development fees consistent with COAH's regulations at N.J.A.C. 5:97-8 and in accordance with P.L.2008, c.46, Sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Paramus, Bergen County requests that COAH review and approve the Borough of Paramus' development fee ordinance.

Borough Clerk

A-5 DRAFT SPENDING PLAN

DRAFT SPENDING PLAN

INTRODUCTION

The Borough of Paramus, Bergen County, has prepared a Housing Element and Fair Share plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (N.J.S.A. 52:27D-301) and the regulations of the Council on Affordable Housing (COAH) (N.J.A.C. 5:97-1 et seq. and N.J.A.C. 5:96-1 et seq.). A development fee ordinance creating a dedicated revenue source for affordable housing was originally approved by COAH on September 6, 1995 and adopted by the municipality on November 14, 1995. The ordinance establishes the Borough of Paramus affordable housing trust fund for which this spending plan is prepared.

As of July 17, 2008, the Borough of Paramus has collected \$14,139,771.56, expended \$8,354,400.05, resulting in a balance of \$5,785,371.51. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees are deposited in separate interest-bearing affordable housing trust funds in Commerce Bank and Hudson City Savings Bank for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:97-8.7-8.9 as described in the sections that follow.

The Borough of Paramus first petitioned COAH for substantive certification on March 2, 1995 and received prior approval to maintain an affordable housing trust fund on September 6, 1995. As of December 31, 2004, the prior round balance remaining in the affordable housing trust fund was \$1,617,398.51. From January 1, 2005 through July 17, 2008, the Borough of Paramus collected an additional \$4,818,476.45 in development fees, payments in lieu of construction, other funds, and/or interest. From January 1, 2005 through July 17, 2008, the Borough of Paramus expended funds on the affordable housing activities detailed in section 4 of this spending plan.

1. REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated during the period of third round substantive certification, the Borough of Paramus considered the following:

(a) Development fees:

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development.

(b) Payment in lieu (PIL): Payments in lieu have not been collected or assessed.

(c) Other funding sources: Funds from other sources, including, but not limited to, the sale of units with extinguished controls, repayment of affordable housing program loans, rental income, and proceeds from the sale of affordable units.

(d) Projected interest: Interest on the projected revenue in the municipal affordable housing trust fund at the current average interest rate.

SOURCE OF FUNDS	PROJECTED REVENUES-HOUSING TRUST FUND - 2008 THROUGH 2018											
	7/18/08 Through 12/31/08	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
(a) Development Fees:												
1. Approved Development	\$132,628.20	\$314,388.50	\$314,388.50	\$314,388.50	\$314,388.50	\$314,388.50	\$314,388.50	\$314,388.50	\$314,388.50	\$314,388.50	\$314,388.50	\$3,143,885.00
2. Development Pending Approval	0	0	0	0	0	0	0	0	0	0	0	\$0
3. Projected Development	0	\$104,000	\$104,000	\$104,000	\$104,000	\$104,000	\$104,000	\$104,000	\$104,000	\$104,000	\$104,000	\$1,040,000.00
(b) Payments in Lieu of Construction	0	0	0	0	0	0	0	0	0	0	0	\$0
(c) Other Funds												
Penwall Payment	\$210,610.05	0	0	0	0	0	0	0	0	0	0	\$210,610.05
(d) Interest	\$70,684.04	\$124,12.15	\$102,419.93	\$80,207.11	\$57,461.17	\$68,881.56	\$80,576.05	\$92,551.19	\$92,551.19	\$92,551.19	\$92,551.19	\$954,546.77
Total	\$413,922.29	\$542,500.65	\$520,808.43	\$498,595.61	\$475,849.67	\$487,270.06	\$498,964.55	\$510,939.69	\$510,939.69	\$510,939.69	\$510,939.69	\$5,349,041.82

The Borough of Paramus projects a total of approximately \$5,349,041.82 in revenue to be collected between July 18, 2008 and December 31, 2018. All interest earned on the account shall accrue to the account to be used only for the purposes of affordable housing.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by the Borough of Paramus:

(a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with the Borough of Paramus' development fee ordinance for both residential and non-residential developments in accordance with COAH's rules and P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

(b) Distribution of development fee revenues:

The administration of Paramus' development fee spending plan will be undertaken by the Paramus Affordable Housing Corporation (PAHC), governing body and the Borough treasurer. First, the PAHC will recommend that the governing body approve the expenditure of development fee revenues. The governing body will review the request for consistency with the spending plan. If consistent with the plan, the governing body will adopt a resolution authorizing the use and release of trust fund monies to the PAHC. Upon approval of the governing body resolution, the Borough treasurer will be authorized to release the funds.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) **Rehabilitation and new construction programs and projects (N.J.A.C. 5:97-8.7)**

The Borough of Paramus will dedicate approximately \$2,327,500 to rehabilitation or new construction programs (see detailed descriptions in Fair Share Plan) as follows:

Rehabilitation program: \$ 2,327,500.00

New construction project(s): \$ 0.00

(b) **Affordability Assistance (N.J.A.C. 5:97-8.8)**

Projected minimum affordability assistance requirement:

Actual development fees & interest earned through 7/17/2008		\$14,139,771.56
Development fees projected* 2008-2018	+	\$4,183,885
Interest projected* 2008-2018	+	\$954,546.77
Less housing activity expenditures through 6/2/2008	-	\$8,354,400.05
Total	=	
30 percent requirement	x 0.30 =	\$3,277,140.98
Less Affordability assistance expenditures through 12/31/2004	-	\$0.00
PROJECTED MINIMUM Affordability Assistance Requirement 1/1/2005 through 12/31/2018	=	\$3,277,140.98
PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement 1/1/2005 through 12/31/2018	÷ 3 =	\$1,092,380.33

* Note: The 2008 portion of this projection reflects 2008 subsequent to July 17 as the remainder of 2008 is included in the actual figure reported above.

The Borough of Paramus will dedicate a minimum of \$3,277,140.98 from the affordable housing trust fund to render units more affordable, including at least \$1,092,380.33 to render units more affordable to households earning 30 percent or less of median income by region. Affordability assistance will be provided via rental assistance to either existing affordable units, new affordable units as listed in the Fair Share Plan, or a combination of both.

(c) Administrative Expenses (N.J.A.C. 5:97-8.9)

The Borough of Paramus projects that, at a maximum, \$2,818,038.54 will be available from the affordable housing trust fund to be used for administrative purposes. However, the Borough anticipates at this time that approximately \$1,200,503.45 will actually be used for administrative purposes through 2018. Projected administrative expenditures, subject to the 20 percent cap, will include consulting fees, legal fees, personnel, office supplies and other administrative costs.

4. EXPENDITURE SCHEDULE

The Borough of Paramus intends to use affordable housing trust fund revenues for the creation and/or rehabilitation of housing units. Where applicable, the creation/rehabilitation funding schedule below parallels the implementation schedule set forth in the Housing Element and Fair Share Plan and is summarized as follows.

Program	Number of Units Projected	Funds Expended and/or Dedicated	PROJECTED EXPENDITURE SCHEDULE 2009 - 2018											
		2005- July 17, 2008	7/18/08 – 12/31/08	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
RCA to Jersey City	28	\$550,000												\$550,000
Rehab of Existing Units	47			\$705,000	\$705,000									\$1,410,000.00
Rehab of Behnke sprinkler system	N/A			\$417,500										\$417,500.00
Rehab of Behnke elevator	N/A					\$500,000								\$500,000.00
Total Programs	--	\$550,000		\$1,122,500	\$705,000	\$500,000								\$2,877,500
Affordability Assistance				\$867,368.06	\$770,000	\$770,000						\$2,599,520.91	\$2,599,520.91	\$7,606,409.88
Administration		\$100,503.45	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$1,200,503.45
Total		\$650,503.45	\$100,000	\$2,089,868.06	\$1,575,000	\$1,370,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$2,699,520.91	\$2,699,520.91	\$11,684,413.33

5. EXCESS OR SHORTFALL OF FUNDS

After three years of plan adoption, the governing body of the Borough of Paramus will reevaluate its affordable housing trust fund account and projected development fees through the end of the Third Round period. In the event that a shortfall of revenues is anticipated, the Borough of Paramus will consider adopting a resolution of intent to bond or a resolution appropriating funds from general revenue for any anticipated shortfall in a municipal rehabilitation program or municipal construction project.

6. BARRIER FREE ESCROW

Collection and distribution of barrier free funds shall be consistent with Paramus' Affordable Housing Ordinance in accordance with N.J.A.C. 5:97-8.5.

SUMMARY

The Borough of Paramus intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the housing programs outlined in the housing element and fair share plan dated *[insert date]*.

The Borough of Paramus has a balance of \$5,785,371.51 as of July 17, 2008 and anticipates an additional \$5,349,041.82 in revenues before the expiration of substantive certification for an anticipated total of \$11,134,413.33. The municipality will dedicate approximately \$2,327,500 towards rehabilitation, approximately \$7,606,409.88 to render units more affordable, and approximately \$1,200,503.45 to administrative costs.

SPENDING PLAN SUMMARY	
Balance as of July 17, 2008	\$5,785,371.51
PROJECTED REVENUE July 18, 2008-2018	
Development fees	+ \$4,183,885
Payments in lieu of construction	+ \$0
Other funds	+ \$210,610.05
Interest	+ \$954,546.77
TOTAL REVENUE	= \$5,349,041.82
EXPENDITURES	
Funds used for Rehabilitation	- \$2,327,500.00
Funds used for New Construction	
1.	- \$0
2.	- \$
3.	- \$
4.	- \$
5.	- \$
6.	- \$
7.	- \$
8.	- \$
9.	- \$
10.	- \$
Affordability Assistance	- \$7,606,409.88
Administration	- \$1,200,503.45
Excess Funds for Additional Housing Activity	= \$0
1.	- \$
2.	- \$
3.	- \$
TOTAL PROJECTED EXPENDITURES	= \$11,134,413.33
REMAINING BALANCE	= \$0.00

A-6 DRAFT RESOLUTION REQUESTING COAH REVIEW AND APPROVAL OF SPENDING PLAN

DRAFT RESOLUTION REQUESTING COAH REVIEW AND APPROVAL OF SPENDING PLAN

WHEREAS, the Governing Body of the Borough of Paramus, Bergen County petitioned the Council on Affordable Housing (COAH) for substantive certification on *(insert date)*; and

WHEREAS, the Borough of Paramus received approval from COAH on *[insert date]* of its development fee ordinance; and

WHEREAS, the development fee ordinance establishes an affordable housing trust fund that includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units, and/or *[insert any other funds collected in connection with your municipality's affordable housing program]*;

WHEREAS, N.J.A.C. 5:97-8.1(d) requires a municipality with an affordable housing trust fund to receive approval of a spending plan from COAH prior to spending any of the funds in its housing trust fund; and

WHEREAS, N.J.A.C. 5:97-8.10 requires a spending plan to include the following:

1. A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;
2. A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;
3. A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
4. A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7, 8.8, and 8.9;
5. A schedule for the expenditure of all affordable housing trust funds;
6. If applicable, a schedule for the creation or rehabilitation of housing units;
7. A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and
8. A plan to spend the trust fund balance as of July 17, 2008 within four years of the Council's approval of the spending plan, or in accordance with an implementation schedule approved by the Council;

9. A plan to spend and/or contractually commit all development fees and any payments in lieu of construction within three years of the end of the calendar year in which funds are collected, but no later than the end of third round substantive certification period;
10. The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and
11. A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation.

WHEREAS, the Borough of Paramus has prepared a spending plan consistent with N.J.A.C. 5:97-8.10 and P.L. 2008, c.46.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Paramus, Bergen County requests that COAH review and approve Paramus' spending plan.

Borough Clerk

A-7 DRAFT AFFORDABLE HOUSING ORDINANCE
(to be updated pending publication of COAH model for Third Round)

DRAFT AFFORDABLE HOUSING ORDINANCE
(to be updated pending publication of COAH model for Third Round)

This section of the Paramus Code sets forth regulations regarding low- and moderate-income housing units in Paramus that are consistent with the provisions of N.J.A.C. 5:94 et seq. These rules are pursuant to the Fair Housing Act of 1985 EN(20) and Paramus' constitutional obligation to provide for its fair share of low- and moderate-income housing.

A. Except for inclusionary developments constructed pursuant to low income tax credit regulations:

1. At least half of all units within inclusionary development will be affordable to low income households; and
2. At least half of all rental units will be affordable to low income households.

B. In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be low-income units and the remainder may be moderate income units.

C. Affordable developments that are not age-restricted will be structured in conjunction with realistic market demands so that:

1. The combination of efficiency and one (1) bedroom units is no greater than twenty (20%) percent of the total low and moderate income units;
2. At least thirty (30%) percent of all low and moderate income units are two (2) bedroom units; and
3. At least twenty (20%) percent of all low and moderate income units are three (3) bedroom units.
4. Low and moderate income units restricted to senior citizens may utilize a modified bedroom distribution. At a minimum, the number of bedrooms shall equal the number of senior citizen low and moderate income units within the development. The standard can be met by creating all one (1) bedroom units or by creating a two (2) bedroom unit for each efficiency unit.

D. In conjunction with realistic market information, the following criteria will be used in determining maximum rents and sale prices:

1. Studio units shall be affordable to one (1) person households;
2. One (1) bedroom units shall be affordable to 1.5 person households;
3. Two (2) bedroom units shall be affordable to three (3) person households; and

4. Three (3) bedroom units shall be affordable to 4.5 person households.
5. Median income by household size shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD.
6. The maximum rent for affordable units within each affordable development shall be affordable to households earning no more than 60 percent of median income.
7. The average rent for low and moderate income units must be affordable to households earning no more than 52 percent of median income.
8. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income.
9. Each affordable development must achieve an affordability average of 55 percent for restricted ownership units.
10. Moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type.
11. Low and moderate income units shall utilize the same heating source as market units.
12. Low income housing units shall be reserved for households with a gross household income less than or equal to fifty (50%) percent of the median income approved by the Council On Affordable Housing. Moderate income housing units shall be reserved for households with a gross household income less than eighty (80%) percent of the median income approved by the Council On Affordable Housing. A household earning less than fifty (50%) percent of median may be placed in a moderate income housing unit.
13. The regulations outlined in N.J.A.C. 5:94-7.2, 5:80-26.6 and 5:80-26.12 will be applicable for purchased and rental units.

E. For rental units:

- (1) The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units, provided that at least 10 percent of all low-income and moderate-income units shall be affordable to households earning no more than 35 percent of median income.
- (2) Gross rents, including an allowance for utilities, shall be established so as not to exceed thirty (30%) percent of the gross monthly income of the appropriate household size referenced in N.J.A.C. 5:80-26.4. Those tenant paid utilities that are included in the utility allowance shall be so stated in the lease. The allowance for utilities shall be consistent with the utility allowance published by DCA for its Section 8 program.

F. For sale units:

(1) The initial price of a low and moderate income owner-occupied single family housing unit shall be established so that the monthly carrying costs of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of an appropriate household size as determined under N.J.A.C. 5:80-26.4; provided, however, that the price shall be subject to the affordable average requirement of N.J.A.C. 5:80-26.3.

(2) The master deeds of affordable developments shall provide no distinction between the condominium or homeowner association fees and special assessments paid by low- and moderate-income purchasers and those paid by market purchasers. Notwithstanding the forgoing sentence, condominium units subject to a municipal ordinance adopted before October 1, 2001, which provides for condominium or homeowner association fees and/or assessments different from those provided for in this subsection shall have such fees and assessments governed by said ordinance.

(3) The Borough of Paramus will follow the general provisions concerning control periods for ownership and rental units as per N.J.A.C. 5:80-26.5 and 5:80-26.11.

(4) Municipal, state, nonprofit and seller options regarding 95/5 units will be consistent with N.J.A.C. 5:80-26.20 – 26.24. Municipal rejection of repayment options for sale units will be consistent with N.J.A.C. 5:80-26.25.

(5) The continued application of options to create, rehabilitate or maintain 95/5 units will be consistent with N.J.A.C. 5:80-26.26.

(6) Eligible capital improvements prior to the expiration of controls on sale units will be consistent with N.J.A.C. 5:80-26.9.

G. In zoning for inclusionary developments, the following is required:

(1) Low- and moderate-income units will be built in accordance with N.J.A.C. 5:94-4.4(f):

Percentage of Market Rate Units <u>Completed</u>	Minimum Percentage of Low and Moderate Income Units <u>Completed</u>
25	0
25+ 1 unit	10
50	50

(2) A design of inclusionary developments that integrates low- and moderate-income units with market units is encouraged.

H. To provide assurances that low- and moderate-income units are created with controls on affordability over time and that low- and moderate-income households occupy these units, Paramus will designate an administrative agency or municipal authority with the responsibility of ensuring affordability of sales and rental units over time. The administrative agency or municipal authority will be responsible for those activities detailed in N.J.A.C. 5:80-26.14.

(1) In addition, the administrative or municipal authority will be responsible for utilizing the verification and certification procedures outlined in N.J.A.C. 5:80-26.16 in placing households in low- and moderate-income units.

(2) Newly constructed low- and moderate-income sales units will remain affordable to low and moderate-income households for at least 30 years. The administrative or municipal authority will require all conveyances of newly constructed units to contain the appropriate deeds and restrictive covenants adopted by COAH and referred to as Appendices A, B, C, D, L, M, N, O, P, and Q found in N.J.A.C. 5:80-26, as applicable.

(3) Housing units created through the conversion of a nonresidential structure will be considered a new housing unit and will be subject to thirty-year controls on affordability. The administrative agency or municipal authority will require an appropriate deed restriction and mortgage lien subject to COAH's approval.

I. Regarding rehabilitated units:

(1) Rehabilitated owner-occupied single-family housing units that are improved to code standard will be subject to affordability controls for at least ten years.

(2) Rehabilitated renter-occupied housing units that are improved to code standard will be subject to affordability controls for at least 10 years.

J. Regarding rental units:

(1) Newly constructed low- and moderate-income rental units will remain affordable to low and moderate-income households for at least 30 years. The administrative agency or municipal authority will require an appropriate deed restriction and mortgage lien subject to COAH's approval.

(2) Affordability controls in accessory apartments will be for a period of at least 10 years, except if the apartment is to receive a rental bonus credit pursuant to N.J.A.C. 5:93-5.13, then the controls on affordability will extend for 30 years.

(3) Alternative living arrangements will be controlled in a manner suitable to COAH, that provides assurance that such a facility will house low- and moderate-income households for at least 10 years, except that, if the alternative living arrangement is to receive a rental bonus credit pursuant to N.J.A.C. 5:93-5.13, then the controls on affordability will extend for 30 years.

K. Section 14(b) of the Fair Housing Act, N.J.S.A. 52:27D-301 et. seq., incorporates the need to eliminate unnecessary cost-generating features from Paramus' land use ordinances. Accordingly, Paramus will eliminate development standards that are not essential to protect the public welfare and to expedite or fast track municipal approvals/details on inclusionary development applications. The Borough of Paramus will adhere to the components of N.J.A.C. 5:94-8.1 through 5:94-8.3.

A-8 DRAFT AFFIRMATIVE MARKETING ORDINANCE
(to be updated pending publication of COAH model for Third Round)

DRAFT AFFIRMATIVE MARKETING ORDINANCE
(to be updated pending publication of COAH model for Third Round)

The Borough's Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer or sponsor of affordable housing. The affirmative marketing plan is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward the COAH Housing Region in which the municipality is located and covers the period of deed restriction. The Plan will address the requirements of N.J.A.C. 5:80-26.15. In addition, the Plan prohibits discrimination in the sale, rental, financing or other services related to housing on the basis of race, color, sex, religion, handicap, age, familial status/size or national origin. The Borough of Paramus is in the housing region consisting of Bergen, Passaic, Hudson, and Sussex Counties. The affirmative marketing program is a continuing program and will meet the following requirements:

- (1) All newspaper articles, announcements and requests for applications for low- and moderate-income units will appear in the following newspapers/publications: The Record.
- (2) The primary marketing will take the form of at least one press release sent to the above publications and a paid display advertisement in each of the above newspapers. Additional advertising and publicity will be on an as-needed basis.
- (3) The advertisement will include a description of the street address of units, direction to housing units, number of bedrooms per unit, range of prices/rents, size of units, income information and location of applications, including business hours, where/how applications may be obtained, and application fees, if any.
- (4) All newspaper articles, announcements and requests for applications for low- and moderate-income housing will appear in publications such as the Community Life weekly newspaper, religious publications and organizational newsletters within the region. Regional radio and/or cable television station(s) will also be used.
- (5) The following is the location of applications, brochure(s), sign(s) and/or poster(s) used as part of the affirmative marketing program, including specific employment centers within the region: posting of notices in the Borough Hall and delivery of notices to the municipal clerks of all municipalities in the region.
- (6) The following is a listing of community contact persons and/or organizations in Paramus that will administer the program and will aid in the affirmative marketing program with particular emphasis on contacts that will reach out to groups that are least likely to apply for housing within the region: land use administrator, County Housing Office and houses of worship.
- (7) Quarterly flyers and applications will be sent to each of the following agencies for publication in their journals and for circulation among their members: Board of Realtors in Bergen, Hudson, Passaic and Sussex Counties.
- (8) Applications will be mailed to prospective applicants upon request.

(9) Additionally, quarterly informational circulars and applications will be sent to the chief administrative employees of each of the following agencies in the counties within Paramus' region: Welfare or Social Service Board, Rental Assistance Office (local office of DCA), Office on Aging, libraries and housing agency or authority in each of the counties within Paramus' housing region.

(10) A random selection method will be used to select occupants of low- and moderate-income housing.

(11) The ??? shall administer the affirmative marketing program. The ??? has the responsibility to income qualify low- and moderate-income households; to place income-eligible households in low- and moderate-income units upon initial occupancy; to provide for the initial occupancy of low- and moderate-income units with income-qualified households; to continue to qualify households for reoccupancy of units as they become vacant during the period of affordability controls; to assist with advertising and outreach to low- and moderate-income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C. 5:94 -7.1.

(12) Households who live or work in the COAH-established housing region may be given preference for sales and rental units constructed within that housing region. Applicants living outside the housing region will have an equal opportunity for units after regional applicants have been initially serviced.

(13) All developers of low- and moderate-income housing units will be required to assist in the marketing of the affordable units in their respective developments.

(14) The marketing program will commence at least 120 days before the issuance of either temporary or permanent certificates of occupancy. The marketing program will continue until all low- and moderate-income housing units are initially occupied and for as long as affordable units are deed restricted and occupancy or reoccupancy of units continue to be necessary.

(15) The Borough will comply with monitoring and reporting requirements as per N.J.A.C. 5:94-9.2.

A-9 GROUP HOME SURVEY RESPONSES

**Council on Affordable Housing (COAH)
Alternative Living Arrangement Survey**

NOV 24 2000

Municipality: PARAMUS

County: BERGEN

Sponsor: _____

Developer: _____

Block: 6406 Lot: 3 Street Address 360 E. RIDGEWOOD AVE.

Facility Name: SPECTRUM FOR LIVING - PARAMUS GROUP HOME

Type of Facility:

- ☒ Group Home for developmentally disabled as licensed and/or regulated by the NJ Dept. of Human Services (Division of Developmental Disabilities (DDD))
- ☐ Group Home for mentally ill as licensed and/or regulated by the NJ Dept. of Human Services (Division of Mental Health Services) (DMHS))
- ☐ Transitional facility for the homeless
- ☐ Residential health care facility (licensed by NJ Dept. of Community Affairs)
- ☐ Congregate living arrangement
- ☐ Other - Please Specify: _____

Sources of funding committed to the project :

- ☐ Capital funding from State - Amount \$ _____
- ☐ Balanced Housing - Amount \$ _____
- ☒ HUD - Amount \$ 321,109.22
- ☐ Federal Home Loan Bank - Amount \$ _____
- ☐ Farmers Home Administration - Amount \$ _____
- ☐ Development fees - Amount \$ _____
- ☐ Bank financing - Amount \$ _____
- ☐ Other - Please specify: _____

☐ Please provide a pro forma for proposed projects

Total # of clients 7

of total bedrooms 7

Total # of low-income clients 7

of low-income bedrooms 7

Total # of moderate-income clients _____

of moderate-income bedrooms _____

Total # of market-income clients _____

of market-income bedrooms _____

Length of Controls: _____ years

Effective Date of Controls: 6/1/1984

Expiration Date of Controls: / /

Average Length of Stay: N/A months (transitional facilities only)

☐ CO Date: / /

Indicate licensing agency:

☒ DDD ☐ DMHS ☐ DHSS ☐ DCA

Initial License Date: 6/1/84

Current License Date: 8/30/08

current license pending audit 12/3/08.

The following verification is attached:

- ☒ Copy of deed restriction or mortgage and/or mortgage note with deed restriction (30-year minimum, HUD, FHA, FHLB, BHP deed restriction, etc.)
- ☐ Copy of capital Application Funding Unit (CAFU) or DHS Capital Application Letter (20 year minimum, no deed restriction required)
- ☐ Award letter/financing commitment (proposed new construction projects only)

Residents 18 yrs or older? ☒ Yes ☐ No

Age-restricted? ☐ Yes ☒ No

Population Served (describe): ambulatory
mentally retarded / developmentally
disabled, both male & female

Accessible (in accordance with NJ Barrier Free
Subcode)? ☐ Yes ☒ No

Affirmative Marketing Strategy (check all that apply):

☒ DDD/DMHS/DHSS waiting list

☐ Other (please specify): _____

CERTIFICATIONS

I certify that the information provided is true and correct to the best of my knowledge and belief.

Certified by: Gina Adkins 11-20-08
Project Administrator Date

Certified by: _____
Municipal Housing Liaison Date

**Council on Affordable Housing (COAH)
Alternative Living Arrangement Survey**

Municipality: PARAMUS County: BERGEN
Sponsor: CARE PLUS RJ INC Developer: #
Block: 7503 Lot: 17 Street Address: E. 106 LINWOOD AVE
Facility Name: _____

Type of Facility:

- ☐ Group Home for developmentally disabled as licensed and/or regulated by the NJ Dept. of Human Services (Division of Developmental Disabilities (DDD))
- ☒ Group Home for mentally ill as licensed and/or regulated by the NJ Dept. of Human Services (Division of Mental Health Services) (DMHS))
- ☐ Transitional facility for the homeless
- ☐ Residential health care facility (licensed by NJ Dept. of Community Affairs)
- ☐ Congregate living arrangement
- ☐ Other - Please Specify: _____

Sources of funding committed to the project :

- ☐ Capital funding from State - Amount \$ _____
- ☐ Balanced Housing - Amount \$ _____
- ☐ HUD - Amount \$ _____
- ☐ Federal Home Loan Bank - Amount \$ _____
- ☐ Farmers Home Administration - Amount \$ _____
- ☐ Development fees - Amount \$ _____
- ☐ Bank financing - Amount \$ _____
- ☐ Other - Please specify: _____

☐ Please provide a pro forma for proposed projects

Total # of clients 5
Total # of low-income clients 5
Total # of moderate-income clients _____
Total # of market-income clients _____

of total bedrooms 4
of low-income bedrooms 4
of moderate-income bedrooms _____
of market-income bedrooms _____

Length of Controls: 30 years

Effective Date of Controls: / /

Expiration Date of Controls: / /

Average Length of Stay: _____ months (transitional facilities only)

☐ CO Date: 10/16/85

Indicate licensing agency:

☐ DDD ☒ DMHS ☐ DHSS ☐ DCA

Initial License Date: 10/1985

Current License Date: 3/21/2008 - 2009

The following verification is attached:

- ☐ Copy of deed restriction or mortgage and/or mortgage note with deed restriction (30-year minimum, HUD, FHA, FHLB, BHP deed restriction, etc.)
- ☐ Copy of capital Application Funding Unit (CAFU) or DHS Capital Application Letter (20 year minimum, no deed restriction required)
- ☐ Award letter/financing commitment (proposed new construction projects only)

Residents 18 yrs or older? ☒ Yes ☐ No

Age-restricted? ☐ Yes ☐ No

Population Served (describe): _____

Accessible (in accordance with NJ Barrier Free Subcode)? ☐ Yes ☐ No

Affirmative Marketing Strategy (check all that apply):

☒ DDD/DMHS/DHSS waiting list

☐ Other (please specify): _____

CERTIFICATIONS

I certify that the information provided is true and correct to the best of my knowledge and belief.

Certified by:

Joseph M. L. PREVCE
Project Administrator

11/19/08
Date

Certified by:

Municipal Housing Liaison

Date

PROJECT / PROGRAM INFORMATION FORM

Changes to the **highlighted** areas are to be made directly into the CTM system. Fields **highlighted in grey** will be added to the CTM screen in January. All other changes must be made on the form and submitted to COAH.

PART A – PROJECT HEADER

Municipality: Borough of Paramus

County: Bergen County

Project or Program Name: Spectrum For Living Group Home

Project Status (circle current status and enter date of action for that status) **Status Date**

Proposed/Zoned

Preliminary Approval

Final Approval

Affordable Units under Construction

Completed (all affordable certificates of occupancy (C.O.) issued)

Deleted from Plan

(date approved by COAH) _____)

Mechanisms - Project / Program Type (circle one)

Assisted Living Facility

Alternative Living Arrangement

Accessory Apartment

Market to Affordable

Credits without Controls

ECHO

100 Percent Affordable

Inclusionary

Rehabilitation

Redevelopment

If an Inclusionary project, identify subtype (circle all that apply)

Units constructed on-site

Units constructed off-site

Combination

Contributory

Growth Share Ordinance

If an Alternative Living Arrangement project, identify subtype (circle one)

Transitional Facility for the Homeless

Residential Health Care Facility

Congregate Living Facility

Group Home

Boarding Homes (A through E) (only eligible for credit for 1987-99 plans)

Permanent Supportive Housing (unit credit)

Supportive Shared Living Housing (bedroom credit)

PART B – PROJECT DETAIL (Complete all applicable sections)

COAH Rules that apply to project: Round 1 Round 2 Round 3

Project Address: 360 E Ridgewood Ave

Project Block/Lot/Qualifier (list all) Block 6406 Lot 3

Project Acreage: 0.42 **Density:** **Set Aside:**

Project Sponsor: (circle one) Municipally Developed Nonprofit Developed Private Developer

Project Sponsor name: New Jersey Department of Human Services, Division of Developmental Disabilities

Project Developer name:

Planning Area (circle all that apply)

1 2 3 4 4B 5 5B

Highland Preservation Highlands Planning Area Pinelands Meadowlands

CAFRA Category I Watershed

Credit Type

Prior-cycle (1980 – 1986) Post-1986 completed Proposed/Zoned Rehabilitation

Credit Sub-Type (if applicable)

Addressing Unmet Need Extension of Controls

Construction Type (circle one) New (includes reconstruction and conversions) Rehabilitation

Flags (circle all that apply) 3.1 Phased Durational Adjustment Conversion Court Project

Density Increase Granted Mediated Project Overlay Zone Result of Growth Share Ordinance

High Poverty Census Tract Off-Site Partnership Project RCA Receiving Project

Reconstruction Part of Redevelopment Plan

Project Waiver granted yes no **Round waiver was granted** R1 R2 R3

Type of Waiver

Number of market units proposed 0 **Number of market units completed** 0

Number of market units with certificates of occupancy issued after 1/1/2004 0

Number of affordable units under construction 0

Condo Fee percentage (if applicable)

Affordability Average Percentage¹

¹ “Affordability Average” means an average of the percentage of median income at which restricted units in an affordable development are affordable to low and moderate-income households.

For Contributory or Combination Sites

Total payment in lieu of building affordable units on site _____

Number of affordable units created with payment _____

Municipal or RCA funds committed to project _____**Municipal or RCA funds expended** _____**Funding Sources (circle all that apply)**

County HOME County Rehab Funds CDBG Federal Home Loan Bank HODAG HUD HUD 202
HUD 236 HUD 811 HUD HOPE VI HUD HOME McKinney Funds Fannie Mae Multi-Family
UDAG UHORP USDA-FHA Rural Development USDA-FHA - Section 515 Development Fees
Municipal Bond Municipal Funds Payment in Lieu Private Financing RCA Capital Funding
Balanced Housing Balanced Housing – Home Express DCA – Low Income House Tax Credit NPP
DCA Shelter Support Services DDD DHSS DHHS HMFA Low Income House Tax Credit
HMFA HMFA HOME MONI Section 8 Small Cities Other: _____

Effective date of affordability controls _____**Length of Affordability Controls (in years)** _____ or **Perpetual****Administrative Agent** _____**For Redevelopment Projects**

Does this project require deed restricted units to be removed? Yes No

If Yes

of deed restricted units removed _____

of moderate income units removed _____

of low income units removed _____

of very low income units removed _____

of rental units removed _____

of for-sale units removed _____

of one-bedroom units removed _____

of two-bedroom units removed _____

of three-bedroom units removed _____

PART C – COUNTS

Affordable Unit Counts

Total non-age-restricted 7 Sales 0 Rentals 7 Total age-restricted 0 Sales _____ Rentals _____

Complete the chart for the number of non-age-restricted and age-restricted units that are **restricted** for the following income categories (do not report on the income levels of residents currently residing in the units)

<u>Low Income</u>	<u>Non-age restricted</u>	<u>Age-restricted</u>
30% of median income ²	_____	_____
35% of median income ³	_____	_____
50% of median income	_____	_____
<u>Moderate Income</u>		
80% of median income	_____	_____

Note: 30% = less than or equal to 30 percent of median income
 35% = greater than 30 percent and less than or equal to 35 percent of median income
 50% = greater than 35 percent and less than or equal to 50 percent of median income
 80% = greater than 50 percent and less than 80 percent of median income

Bedroom Distribution of Affordable Units

Sale units	efficiency low	_____	1 bedroom low	_____	2 bedroom low	_____	3 bedroom low	_____
	efficiency mod	_____	1 bedroom mod	_____	2 bedroom mod	_____	3 bedroom mod	_____
Rental units	efficiency low	_____	1 bedroom low	_____	2 bedroom low	_____	3 bedroom low	_____
	efficiency mod	_____	1 bedroom mod	_____	2 bedroom mod	_____	3 bedroom mod	_____

Completed Units

Number of affordable units completed in this project 7

Number of affordable units in this project lost through foreclosures, illegal sale or expired affordability controls 0

² Pursuant to N.J.A.C. 5:97-3.7 units deed restricted to households earning 30% or less of median income may be eligible for Bonus Credit for Very-Low Income Units. (RCA receiving units not eligible for bonus credits)

³ Pursuant to N.J.A.C. 5:80-26.3(d) At least 10 percent of all low- and moderate-income rental units must be deed restricted to households earning no more than 35 percent of median income

PART D - (completed by Sending Municipality)

For **Approved** Regional Contribution Agreements (RCA)

Sending Municipality _____ County _____

RCA Receiving Municipality _____ County _____

COAH approval date _____

Number of units transferred _____ Cost per unit _____

Total transfer amount _____ **Amount transferred to date** _____

For Partnership Program

Sending Municipality _____ County _____

Partnership Receiving Municipality _____ County _____

Name of Project _____

Credits for Sending Municipality _____

Total transfer amount _____ **Amount transferred to date** _____

Summary of Sending Municipality's contractual agreement with Partnership Receiving Municipality

PROJECT / PROGRAM INFORMATION FORM

Changes to the **highlighted** areas are to be made directly into the CTM system. Fields **highlighted in grey** will be added to the CTM screen in January. All other changes must be made on the form and submitted to COAH.

PART A – PROJECT HEADER

Municipality: Borough of Paramus

County: Bergen County

Project or Program Name: Care Plus NJ Group Home

Project Status (circle current status and enter date of action for that status) **Status Date**

Proposed/Zoned

Preliminary Approval

Final Approval

Affordable Units under Construction

Completed (all affordable certificates of occupancy (C.O.) issued)

10/16/1985

Deleted from Plan

(date approved by COAH) _____)

Mechanisms - Project / Program Type (circle one)

Assisted Living Facility

Alternative Living Arrangement

Accessory Apartment

Market to Affordable

Credits without Controls

ECHO

100 Percent Affordable

Inclusionary

Rehabilitation

Redevelopment

If an Inclusionary project, identify subtype (circle all that apply)

Units constructed on-site

Units constructed off-site

Combination

Contributory

Growth Share Ordinance

If an Alternative Living Arrangement project, identify subtype (circle one)

Transitional Facility for the Homeless

Residential Health Care Facility

Congregate Living Facility

Group Home

Boarding Homes (A through E) (only eligible for credit for 1987-99 plans)

Permanent Supportive Housing (unit credit)

Supportive Shared Living Housing (bedroom credit)

PART B – PROJECT DETAIL (Complete all applicable sections)

COAH Rules that apply to project: Round 1 Round 2 Round 3

Project Address: E 106 Linwood Ave

Project Block/Lot/Qualifier (list all) Block 7503 Lot 17

Project Acreage: 0.46 **Density:** **Set Aside:**

Project Sponsor: (circle one) Municipally Developed Nonprofit Developed Private Developer

Project Sponsor name: New Jersey Department of Human Services, Division of Mental Health Services

Project Developer name:

Planning Area (circle all that apply)

1 2 3 4 4B 5 5B

Highland Preservation Highlands Planning Area Pinelands Meadowlands

CAFRA Category 1 Watershed

Credit Type

Prior-cycle (1980 – 1986) Post-1986 completed Proposed/Zoned Rehabilitation

Credit Sub-Type (if applicable)

Addressing Unmet Need Extension of Controls

Construction Type (circle one) New (includes reconstruction and conversions) Rehabilitation

Flags (circle all that apply) 3.1 Phased Durational Adjustment Conversion Court Project

Density Increase Granted Mediated Project Overlay Zone Result of Growth Share Ordinance

High Poverty Census Tract Off-Site Partnership Project RCA Receiving Project

Reconstruction Part of Redevelopment Plan

Project Waiver granted yes no **Round waiver was granted** R1 R2 R3

Type of Waiver

Number of market units proposed 0 **Number of market units completed** 0

Number of market units with certificates of occupancy issued after 1/1/2004 0

Number of affordable units under construction 0

Condo Fee percentage (if applicable)

Affordability Average Percentage¹

¹ “Affordability Average” means an average of the percentage of median income at which restricted units in an affordable development are affordable to low and moderate-income households.

For Contributory or Combination Sites

Total payment in lieu of building affordable units on site _____

Number of affordable units created with payment _____

Municipal or RCA funds committed to project _____**Municipal or RCA funds expended** _____**Funding Sources (circle all that apply)**

County HOME County Rehab Funds CDBG Federal Home Loan Bank HODAG HUD HUD 202

HUD 236 HUD 811 HUD HOPE VI HUD HOME McKinney Funds Fannie Mae Multi-Family

UDAG UHORP USDA-FHA Rural Development USDA-FHA - Section 515 Development Fees

Municipal Bond Municipal Funds Payment in Lieu Private Financing RCA Capital Funding

Balanced Housing Balanced Housing – Home Express DCA – Low Income House Tax Credit NPP

DCA Shelter Support Services DDD DHSS DHHS HMFA Low Income House Tax Credit

HMFA HMFA HOME MONI Section 8 Small Cities Other: Division of Mental Health Services (DMHS)

Effective date of affordability controls _____**Length of Affordability Controls (in years)** _____ or Perpetual**Administrative Agent** _____**For Redevelopment Projects**

Does this project require deed restricted units to be removed? Yes No

If Yes

of deed restricted units removed _____

of moderate income units removed _____

of low income units removed _____

of very low income units removed _____

of rental units removed _____

of for-sale units removed _____

of one-bedroom units removed _____

of two-bedroom units removed _____

of three-bedroom units removed _____

PART C – COUNTS

Affordable Unit Counts

Total non-age-restricted 4 Sales 0 Rentals 4 Total age-restricted 0 Sales _____ Rentals _____

Complete the chart for the number of non-age-restricted and age-restricted units that are **restricted** for the following income categories (do not report on the income levels of residents currently residing in the units)

<u>Low Income</u>	<u>Non-age restricted</u>	<u>Age-restricted</u>
30% of median income ²	_____	_____
35% of median income ³	_____	_____
50% of median income	_____	_____
<u>Moderate Income</u>		
80% of median income	_____	_____

Note: 30% = less than or equal to 30 percent of median income
 35% = greater than 30 percent and less than or equal to 35 percent of median income
 50% = greater than 35 percent and less than or equal to 50 percent of median income
 80% = greater than 50 percent and less than 80 percent of median income

Bedroom Distribution of Affordable Units

Sale units	efficiency low	_____	1 bedroom low	_____	2 bedroom low	_____	3 bedroom low	_____
	efficiency mod	_____	1 bedroom mod	_____	2 bedroom mod	_____	3 bedroom mod	_____
Rental units	efficiency low	_____	1 bedroom low	_____	2 bedroom low	_____	3 bedroom low	_____
	efficiency mod	_____	1 bedroom mod	_____	2 bedroom mod	_____	3 bedroom mod	_____

Completed Units

Number of affordable units completed in this project 4

Number of affordable units in this project lost through foreclosures, illegal sale or expired affordability controls 0

² Pursuant to N.J.A.C. 5:97-3.7 units deed restricted to households earning 30% or less of median income may be eligible for Bonus Credit for Very-Low Income Units. (RCA receiving units not eligible for bonus credits)

³ Pursuant to N.J.A.C. 5:80-26.3(d) At least 10 percent of all low- and moderate-income rental units must be deed restricted to households earning no more than 35 percent of median income

PART D - (completed by Sending Municipality)

For **Approved** Regional Contribution Agreements (RCA)

Sending Municipality _____ County _____

RCA Receiving Municipality _____ County _____

COAH approval date _____

Number of units transferred _____ Cost per unit _____

Total transfer amount _____ **Amount transferred to date** _____

For Partnership Program

Sending Municipality _____ County _____

Partnership Receiving Municipality _____ County _____

Name of Project _____

Credits for Sending Municipality _____

Total transfer amount _____ **Amount transferred to date** _____

Summary of Sending Municipality's contractual agreement with Partnership Receiving Municipality
